

RESOLUTIONS AND LEGAL NOTICES OF HEARING LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS AVAILABLE:

<http://town.huntington.ny.us>

PRESENT:

Supervisor
Councilwoman
Councilman
Councilwoman
Councilman
Town Clerk
Town Attorney

Frank P. Petrone
Susan A. Berland
Mark A. Cuthbertson
Glenda A. Jackson
Mark Mayoka
Jo-Ann Raia
John J. Leo

AGENDA FOR TOWN BOARD MEETING DATED MARCH 8, 2011

Opened: 2:05 P.M. Recessed: 2:14 P.M. Resumed: 2:18 P.M. Closed: 4:20 P.M.

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 2:14 P.M. Recessed: 2:18 P.M. Resumed: 4:20 P.M. Closed: 4:21 P.M.

2:00P.M. – TOWN HALL

(Resolutions #2011-77 to 2011-122)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 2-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Articles IV (Commercial Districts) and XI (Conditional Uses; Supplementary Regulations) to update standards for game centers and commercial places of amusement and recreation in C-6 and C-7 Commercial Zoning Districts.
(Local Law Intro No. 2-2011)

DECISION RESERVED

BOARD OF TRUSTEES' HEARINGS:

1. Consider a variance and the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). **Applicant: Dan P. Debono**
Location: 140 Old Winkle Point Rd., Eaton's Neck, N.Y. 11768
S.C.T.M. #0400-005.00-03.00-001-001.
(2011-BT-3-Ch. 137)

**HEARING TO BE
RESCHEDULED
RESOLUTION #2011-BT-11**

BOARD OF TRUSTEES' HEARINGS (Con't.)

ACTION

2. Consider the execution of a license agreement as is necessary for the construction of a residential fixed pier and floating dock assembly under Chapter 137, Marine Conservation. **Applicant: Dan P. Debono**
Location: 140 Old Winkle Point Rd., Eaton's Neck, N.Y. 11768
S.C.T.M. #0400-005.00-03.00-001.001.
(2011-BT-4)

**HEARING TO BE
RESCHEDULED
RESOLUTION #2011-BT-12**

3. Consider a variance and the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). **Applicant: Kimberly A. Willen (Rev. Trust)**
Location: 29 Bluff Point Rd., Northport, N.Y.
S.C.T.M. #0404-003.00-01.00-009.000.
(2011-BT-5-Ch. 137)

DECISION RESERVED

4. Consider the execution of a license agreement as is necessary for the construction of a residential fixed pier and floating dock assembly under Chapter 137, Marine Conservation. **Applicant: Kimberly A. Willen (Rev. Trust)**
Location: 29 Bluff Point Rd., Northport, N.Y.
S.C.T.M. #0404-003.00-01.00-009.000.
(2011-BT-6)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 8, 2011**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone	-	FP
Councilwoman Susan A. Berland	-	SB
Councilman Mark A. Cuthbertson	-	MC
Councilwoman Glenda A. Jackson	-	GJ
Councilman Mark Mayoka	-	MM

- | | | | | |
|----------|--|------------------------|-----------|----------|
| 2011-77. | AUTHORIZE the Supervisor to execute a contract with the Suffolk County Board of Elections for the use of Huntington Town Hall as a polling place for the Election Districts 30 and 63 in the Town of Huntington. | <u>MC</u> | <u>FP</u> | <u>5</u> |
| 2011-78. | AUTHORIZE the Supervisor to represent the Town of Huntington in all matters relating to State Assistance pursuant to the Round 10 Urban and Community Forestry Grant Program nunc pro tunc. | <u>MC</u> | <u>FP</u> | <u>5</u> |
| 2011-79. | AUTHORIZE the Supervisor to amend a Public Art Agreement with an artist for purchase of a sculpture currently installed in the Anne Frank Memorial Garden within Arboretum Park. (Re: <i>Dress Amor a/k/a Child's Dress</i> by artist Thea Lanzisero) | <u>FP</u>
<u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-80. | AUTHORIZE the Supervisor to execute a contract with Organic Golf Maintenance and Design, LLC, for Organic Maintenance Services at HBC & Middle Earth Soccer Fields. (Term: 4/1/2011-3/31/2012) | <u>MC</u> | <u>FP</u> | <u>5</u> |
| 2011-81. | AUTHORIZE the Supervisor to execute a One-Year contract with Organic Golf Maintenance and Design, Inc., for Engineering Design Services to continue the reconstruction of tees & bunkers at the Dix Hills Golf Course. (Term: 4/1/2011-3/31/2012) | <u>SB</u> | <u>MC</u> | <u>5</u> |
| 2011-82. | AUTHORIZE the Supervisor to execute a contract with James A. Hall photography for the photography services for camps. (Term: two years) | <u>MC</u> | <u>FP</u> | <u>5</u> |
| 2011-83. | AUTHORIZE the Supervisor to execute a contract with Cornell Cooperative Extension of Suffolk County for the Town of Huntington Shellfish enhancement and educational internship program at Gold Star Battalion Beach, Huntington, New York.
(Term: 36 months commencing May 8, 2011) | <u>MC</u>
<u>SB</u> | <u>MM</u> | <u>5</u> |
| 2011-84. | AUTHORIZE the Supervisor to execute an agreement with Toski, Schaefer & Co., P.C. to provide Audit Services for the Deferred Compensation Plan for employees of the Town of Huntington.
(Term: one year) | <u>FP</u> | <u>MC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 8, 2011**

RESOLUTIONS:		OFF.	SEC.	VOTE
2011-85.	AUTHORIZE the Supervisor to execute a contract with Terry Contracting & Materials, Inc. for the Brush Fire Restoration at the East Northport Landfill. (Term: one year)	<u>MM</u>	<u>FP</u>	<u>5</u>
2011-86.	AUTHORIZE the Supervisor to execute a requirements contract with Coastal Charter Service Corp. for the Bus Service for recreation programs. (Term: one year)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-87.	AUTHORIZE the Supervisor to execute a requirements contract with Louis Barbato Landscaping, Inc. for the Townwide requirements contract for tree planting. (Term: one year)	<u>SB</u>	<u>FP</u>	<u>5</u>
2011-88.	AUTHORIZE the Supervisor to execute a contract with Chelsea Rose Construction Corp. D/B/A the Deck and Patio Co. for the design and construction of a rainwater harvesting garden at the Long Island Rail Road Station in Huntington Station, New York.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2011-89.	AUTHORIZE the Supervisor to execute an amendment to the contract with VHB Engineering, Surveying and Landscape Architecture, P.C. for design, inspection and ARRA reporting requirements-Walt Whitman Road Reconstruction Project. (Re: Canon USA)	<u>GJ</u>	<u>MC</u>	4-AYES 1-NO (MM)
2011-90.	AUTHORIZE the Supervisor to execute an extension to the contract with David R. Maltz & Co., Inc. for the public auction of surplus items. (Term: Effective April 21, 2011 for a term of one year)	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
2011-91.	AUTHORIZE the Supervisor to execute an extension to the requirements contract with Drive Train Truck Parts, Corp. for light truck and heavy duty manual transmission and rear differential, rebuild and repair. (Re: Effective April 1, 2011 for a term of one year)	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
2011-92.	AUTHORIZE the Supervisor to execute an Operating Agreement with the Town of Huntington and the Town of Huntington Economic Development Corporation.	<u>FP</u> <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-93.	AUTHORIZE the Supervisor to execute a requirements contract with Absolute Control HVAC Corp. for heating ventilation and air conditioning (HVAC) service, installation and maintenance. (Term: one year)	<u>FP</u>	<u>SB</u>	<u>5</u>
2011-94.	AUTHORIZE the Supervisor to apply for and receive financial assistance from the National Fish and Wildlife Foundation to contract a hydrology study and stewardship plan for the Crab Meadow Watershed and execute any related documents.	<u>MC</u> <u>GJ</u>	<u>MM</u> <u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 8, 2011**

RESOLUTIONS:

		OFF.	SEC.	VOTE
2011-95.	AUTHORIZE the Supervisor to execute an agreement with Creative Advertising Concepts for a Marketing Campaign for the Green Jobs-Green New York/Better Buildings Energy Efficiency Audit and Retrofit Program. (Term: April 1, 2011 through March 31, 2013)	<u>FP</u> <u>MC</u>	<u>GJ</u>	4-AYES 1-NO <u>(MM)</u>
2011-96.	AUTHORIZE the Supervisor to execute a renewal of the annual support and license agreement for the Town's Municipal Financial Software Package, (Munis) with Tyler Technologies Inc., Munis Division.	<u>MM</u>	<u>FP</u>	<u>5</u>
2011-97.	AUTHORIZE the execution of a requirements contract with FM Generator Inc. for the maintenance of diesel generator equipment for the Town of Huntington Wastewater Treatment Facility. (Term: one year)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-98.	AUTHORIZE the execution of an extension to the franchise agreement with Long Island Kayak Academy & Outfitters, LLC to conduct a kayaking program for the Town of Huntington Department of Parks and Recreation. (Re: Effective July 23, 2011 for a one year term)	<u>MC</u>	<u>SB</u>	<u>5</u>
2011-99.	AUTHORIZE the Supervisor to execute an extension of the agreement with Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center to provide a horseback riding facility and lessons at West Hills Park. (Re: One year seasonal extension from May 1, 2011 through November 30, 2011)	<u>REMOVED FROM</u> <u>AGENDA BY</u> <u>SUPERVISOR PETRONE</u>		
2011-100.	AUTHORIZE the Supervisor to execute a license agreement to rent an apartment at Fuchs Pond Preserve in Northport, New York, nunc pro tunc.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-101.	AUTHORIZE the Supervisor to execute deeds and all necessary documents to transfer title to a 0.324 acre parcel of Town Land on Woodchuck Hollow Road, Cold Spring Harbor. (Re: Split property between purchasers Dean and Amy D'Amelio and Thomas Zazarino)	<u>FP</u>	<u>MC</u>	<u>5</u>
2011-102.	AUTHORIZE the Town Attorney to levy on the performance bond of Daren A. Rathkopf, as Principal, for required improvements for the subdivision known as Hogan Plat. (Performance Bond #1210)	<u>FP</u>	<u>MC</u>	4-AYES 1-NO <u>(MM)</u>
2011-103.	ACCEPT the donation of a scoreboard and associated materials from the Louis J. Acompora Foundation for installation at Veterans Park in East Northport.	<u>FP</u> <u>MC</u>	<u>SB</u> <u>GJ</u>	<u>5</u>
2011-104.	ACCEPT the donation of a sound system for the new Dix Hills Ice Rink skating facility from the Long Island Rebels Youth Hockey Club, nunc pro tunc.	<u>FP</u> <u>SB</u>	<u>GJ</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 8, 2011**

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-105. ACCEPT a donation from Covanta Energy Corporation for the promotion, marketing and operating expenses associated with the "2011 Huntington Family Earth Day Expo" on April 16, 2011.	MM MC	GJ	5
2011-106. ACCEPT donations from various merchants and businesses Re: 2011 Valentine's Day Ceremonies performed by Town Clerk, Jo-Ann Raia, who serves as the Town's Marriage Officer, nunc pro tunc.	SB GJ	MM FP	5
2011-107. ACCEPT the dedication of two drainage easements for the subdivision known as Eisinger Plat.	SB	GJ	5
2011-108. ADOPT a Home Rule Message urging the New York State Legislature to revise the Star Exemption Legislation which designated local residents as ineligible or undetermined as to qualification for the Basic Star exemption.	MC GJ MM	FP SB	5
2011-109. APPOINT members to the Building Homes for Huntington Heroes Committee. (Re: Mark Mayoka, Raymond Mascolo, Andrew Pujol, Andrew McClure, Chad Gottlieb, Esther Lebron, Kim Levi, Doug Herrmann, , Bob Ehrler, Phil Tepe, , Gina Angevine, Dolan Angevine, Philip Byler, Janet Byler, Tim Hamill, Steven Kennaugh, Arnold Kirsh, Mathew Sisinni, Lesley Rafuse, Thomas Rocco, Sal Signorelli, Norma Signorelli, Christy Stiles, Scott Waryold, Richard Gierbolini, Walter Long, Carol Rocco(ex-officio member) Marin Brosniak (ex-officio member) and Director of Engineering Services or his designee (ex-officio member)	MM	FP	5
2011-110. REMOVED FROM AGENDA AT WORKSHOP.			
2011-111. GRANT a permit for an Aquatic Event to Metropolitan Swimming, Inc. for their Open Water Swimming Championships. (Date: July 10, 2011)	FP GJ	SB	5
2011-112. SUBSTITUTE the Law Firm of Cullen & DYKMAN, LLP with James P.Clark, P.C.	FP	MC	4-AYES 1-NO (MM)
2011-113. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Eighth Street, Fifth Street, Sixth Street – Stop Signs.	GJ	FP	5
2011-114. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Harbor Circle, No Standing Restriction.	GJ	MC	5

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 8, 2011**

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-115. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: View Acre Drive, No Parking Restriction.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2011-116. ENACTMENT: ADOPT Local Law Introductory Number 1-2011 amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements), Article I (General Provisions), Article III (Buildings and Structures) and Article XII (Enforcement).	<u>SB</u>	<u>FP</u>	<u>5</u>
2011-117. SCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM To consider adopting Local Law Introductory No. 3 – 2011 amending the code of the Town of Huntington, Chapter 36 (Administrative Hearing Officer).	<u>FP</u>	<u>MC</u>	<u>5</u>
2011-118. REMOVED FROM AGENDA AT WORKSHOP.			
2011-119. SCHEDULE A PUBLIC HEARING: April 12, 2011 at 7:00 PM To consider adopting Local Law Introductory No. 4 – 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an Historic Landmark the building and property known as the Old Huntington Hotel, 410 New York Avenue, Huntington. (SCTM # 0400-096-01-046.001)	<u>SB</u>	<u>MM</u>	<u>(GJ)</u>
2011-120. SCHEDULE A PUBLIC HEARING: April 12, 2011 at 7:00 PM To consider adopting Local Law Introductory No. 5 – 2011, considering Zone Change application No. 2011-ZM-385 of the Huntington Community Development Agency, to change the Zoning from I-5 General Industry District to R-5 Residence District for the properties located on the West Side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, and relieving the Community Development Agency from certain requirements of the Town of Huntington Zoning Code. (SCTM# 0400-140-03-[072, 073, 108 &109.003])	<u>FP</u> <u>GJ</u>	<u>MC</u>	4-AYES 1-NO <u>(MM)</u>
2011-121. SCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G Re: Maple Hill Road – Stop Signs.	<u>GJ</u>	<u>FP</u>	<u>5</u>
MOTION TO ADD RESOLUTION #2011-122 TO AGENDA.	<u>SB</u> <u>MC</u>	<u>GJ</u>	<u>5</u>
2011-122. AUTHORIZE the retention of outside counsel (Harris Beach, P.L.L.C.). (Re: Dix Hills Ice Rink – construction/renovation)	<u>FP</u> <u>SB</u>	<u>MC</u> <u>GJ</u>	<u>5</u>

AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: MARCH 8, 2011

RESOLUTIONS:

OFF. SEC. VOTE

2011-BT7. SCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM

To consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 Applicant: Donna Myers of Shore Solutions on behalf of Timothy J. Cox & Kathy M. Staib Location: 33 Prospect Rd., Centerport, N.Y. 11721 S.C.T.M. #0400-045.00-01.00-028.000.

MC GJ 5

2011-BT8. SCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM

To consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, Applicant: Donna Myers of Shore Solutions on behalf of Timothy J. Cox & Kathy M. Staib Location: 33 Prospect Rd., Centerport, N.Y. 11721 S.C.T.M. #0400-045.00-01.00-028.000.

MC FP
GJ 5

2011-BT9. SCHEDULE A PUBLIC HEARING: April 12, 2011 at 7:00 PM

To consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 Applicant: Cramer Consulting Group on behalf of Celeste Morin Location: 45 Prospect Rd., Centerport, N.Y. 11721 S.C.T.M. # 400-045.00-01.00-022.000.

MC GJ 5

2011-BT10. SCHEDULE A PUBLIC HEARING: April 12, 2011 at 7:00 PM

To consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, Applicant: Cramer Consulting Group on behalf of Celeste Morin Location: 45 Prospect Rd., Centerport, N.Y. 11721 S.C.T.M. # 400-045.00-01.00-022.000.

MC GJ 5

2011-BT11. RESCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM

To consider a variance and the issuance of a Special Use Permit under Chapter 137, Marine Conservation, Applicant: Dan P. DeBono Location: 140 Old Winkle Point Rd., Eatons Neck, N.Y. 11768 S.C.T.M. #0400-005.00-03.00-001.001.

GJ FP 5

2011-BT12. RESCHEDULE A PUBLIC HEARING: March 22, 2011 at 7:00 PM

To consider the execution of a license agreement as is necessary for the construction of a residential fixed pier and floating dock assembly under chapter 137, Marine Conservation, Applicant: Dan P. DeBono Location: 140 Old Winkle Point Rd., Eaton's Neck, N.Y. 11768 S.C.T.M. #0400-005.00-03.00-001.001.

GJ FP 5

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: MARCH 8, 2011**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Patrick Consalvas III for Pidgeon Hill Wine and Spirits; From: Tabassum Ali for Spice Village Grill; From: Mike La June corporation to be formed at 326 W. Jericho Tpke; From: Mike Maupin for West Palm Saloon, Inc.; From: Nery Y. Menendez for El Triunfo Taverna Corp.; From: Cecilio Alvarez for Deli Pupuseria Salvadorena Inc. d/b/a to be determined; From: Roberta Santos for Corp. to be formed (138 E. Main Street, Huntington); From: Ingrid Keiser for ClubCorp Hamlet, LLC d/b/a to be determined;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Samuel Goldmeer for Grey Meers Pub; From: Johnny Shau for Jani; From: Michael Meehan for Meehan's of Huntington; From: Andrew Barnikel for 6893 Corp. Fr. Thomas A. Judge K of C; From: Michael D. Sienkiewicz for Sylvia Levine, Huntington Wines & Liquors, From: G. Gibarre for Matteo's Restaurant; From: Shing R. Yu for RJT Holding Company, Ltd.; From: Ignatius Senatore for Loyal Order Of Moose Huntington Lodge 318 Inc.; From: S. Steinberg for Umberto Huntington LLC; From: Manuel Rodrigues for Orlando Restaurant; From: Joseph Tamburello for La Spada Cucina Italiana; From: Cosmo Parrella for Munday's;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Kim Trant regarding the Aboff Building. The writer wants to protect the walker friendly community. She does not want to have a drive through bank and wants to retain the current building.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission
4. Letter received from Andrew Freleng, Chief Planner, for Suffolk County, regarding the 90 day moratorium on wireless communication facilities. Before they give a determination, certain questions from the advisory guidelines need to be answered. Attached was a copy of the Suffolk County Advisory News from Spring 1998.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Letter received from Leslie Strauss expressing his support for the Kensington Estates project to be located on the Dougal property.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

7. Letter received from Karen Friel, Executive Board of the Cold Spring Hills Civic Association regarding a letter written to Mr. Subimal Chakraborti, Region 10 Director of NYS Dept. of Transportation. The letter expresses safety concerns on the southern side of Jericho Tpke. between Cold Spring Hills Rd. and Round Swamp Rd. and requests "No Left Turn" signs in that area.

Supervisor
Town Board
Town Attorney
Traffic & Safety
Highway
Engineering Services
cc: Planning & Environment

8. Public notice received from Paul Bregman, Chairman of the Laurel Hollow Planning Board regarding a Public Hearing and Meeting to be held on Tuesday, March 1, 2011 at 8:00 P.M. at Village Hall re: Application by Laura Page for permit to construct two homes which construction will result in the disturbance of a bluff, buffer area, greenbelt, steep slope, very steep slope, severely steep slope and application for permit to construct two homes, which construction will result in excavation and removal of earth – parcel of land is currently known as Section 14, Block A, Lot 1088, on the Land and Tax Map of Nassau County and has been granted Preliminary Approval by the Planning Board to partition into three (3) lots. Also, application – Redcoate Farms for re-approval of the final subdivision plat previously approved by the Planning Board for a parcel located within the boundaries of the Incorporated Village of Oyster Bay Cove, known as Section 27, Block L, Lots p/o 17, p/o 226, 227, and p/o 229 on the Land and Tax Map of Nassau County.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

9. Letter received from Suffolk County Planning regarding Huntington Town Board Resolution #2011-75 – amendment to Chapters 198-27.1 and 198.71 "Game Centers". The Commission considers the aforementioned to be a matter for local determination which should not be construed as either an approval or disapproval.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

10. Notice received from the Board of Zoning Appeals of the Village of Northport stating that a public hearing will be held on Wednesday, February 23, 2011 at 7:00 PM at Village Hall to consider the following applications: Paul Porco, Yogurt Crazy III for variance under Highway Business, 306-39(f) Change of Use, 306-21A parking requirements for 721 Ft. Salonga Rd., Northport, NY – applicant wishes to open a self-service yogurt bar; Scudder Restaurant Corp. for variance under Central Business A, 306-20D(5), E(2), F(3) 306-21A(3), 306-39F(3) minimum front yd., rear yd., side yd, and off street parking, and number of seats for 155 Main Street, Northport, NY- applicant wishes to open a restaurant; William O'Shea for variance under Zoning Ordinance Resident C for 167 Bayview Avenue, Northport, NY – applicant wishes to construct a garage.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

11. E-mail received from Gerard Seitz to Julian Adams, New York State Historic Preservation Office, requesting that the Old Hotel Huntington be preserved as an Historic Landmark.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

12. Public Notice from Richard Marino, Chairman of the Village of Laurel Hollow Board of Appeals, regarding a Public Hearing to be held on February 28, 2011 at 7:30 PM at Village Hall re: 1 Glen Lane, install a garage, pool house, sports court, driveway alterations, pool, pool deck, spa pool equipment and outdoor shower deck and also to disturb a slope at 1 Glen Lane; re: 398 Cold Spring Rd, to construct a one-story addition and alteration and to disturb a slope at same address.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
13. E-mails to Councilwoman Berland and Councilwoman Jackson from Margaret Alex stating that the friends of "Save the Historic Aboff Building" are looking for someone to champion their cause and propose a resolution for a hearing to designate the building a local historic landmark.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission
14. Letter faxed and sent by regular mail from Kenneth P. Savin, Village Attorney for the Village of Asharoken regarding Asharoken Avenue – Seawall and Roadway Shoulder and the removal of the orange safety barrels. They would like the barrels returned to the location immediately to warn motorists of the "soft shoulder" conditions that exist on the road.
- Supervisor
Town Board
Town Attorney
cc: Highway
15. Newsletter from Gayle Snyder, Chairperson of the Cold Spring Hills Civic Association, Inc. Mentioned in the newsletter were issues involving Kensington Estates.
- Supervisor
Town Board
Town Attorney
cc: Public Safety
16. Email received from the Dix Hills Fire District regarding public hearings to be held on February 15th at noon and March 1st at 7:00 pm at the main fire house to consider proposed construction. There will be a bond vote on March 8th from 6:00 pm – 9:00 pm.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
17. Letter received from Jeffrey Zappieri, Supervisor of Consistency Review, Office of Coastal, Local Government and Community Sustainability, Department of State regarding application for Nemes property to construct a bulkhead in Northport re: General Concurrence – Proposal Modified to be Consistent. The writer indicates that the proposal, which has been modified is consistent with the New York Coastal Management Program, meets the Department's general consistency concurrence criteria.
- Supervisor
Town Board
Town Attorney
Maritime Services
Engineering Services
cc: Planning & Environment
18. Email received from Brian Valeri, proprietor of Big Bear Pizzelli, with a copy of a letter attached that he sent to William Naughton, Superintendent of Highways, regarding the parking conditions, due to the snow, on both sides of Larkfield Road, from Dunkin Donuts south. Writer is requesting snow be removed so that customers can park.
- Supervisor
Town Board
Town Attorney
cc: Highway
19. Letter received from Valerie Oberman in support of the Kensington Estates Project which is to be located on the current Dougal Property on Jericho Turnpike.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

20. Emails received from the following against the proposed TD Bank:

- A) Lawrence Leek B) Gerard Seitz C) Jan Witkowski, Ph.D.
- D) John Rutig E) Liana Andersen

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

21. Emails received from Joseph Willen in support of TD Bank application which were responses to letters from A) Gerard Seitz and B) Alexander Wolfe addressed to Mr. Willen.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

22. Emails received from A) Thomas Zeis and B) Adam Fleischer in support of retaining the Aboff Building/Hotel Huntington. Both writers do not want to see this building torn down.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

23. Letters received from Vincent Puleo, Town Clerk for Smithtown regarding:

- A) Town of Smithtown Resolution # 2010-11 which was adopted by the Town Board on February 17, 2011. Resolution was PIT Partners LLC – Special Exception to modify commercial public recreation use (North side of Motor Parkway, east of Austin Blvd, Commack)
- B) Public Hearing to be held on March 24, 2011 at 7:01 PM at the Eugene Cannataro Senior Citizen Center regarding petition #2011-02 SiteTech Wireless, LLC – special exception for wireless telecommunications antennas and related equipment (location: 85 Old Northport Road)

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

24. Letter received from Samuel E. Miller resigning as the Commissioner of the Huntington Housing Authority.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

25. Letter received from Karen Herbert, Treasurer of the Cold Spring Harbor Fire District, requesting a 60 day extension on the filing of the Annual Financial Report of the Fire District Treasurer.

Supervisor
Town Board
Town Attorney
cc: Comptroller

26. Emails received from A) Fred Saunders and B) Joseph Obermaier requesting that the Town Board have a Public Hearing to consider designating the Hotel Huntington Property to be deemed historic.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

27. Letter received from Marc Pollner, MD. in support of Kensington Estates.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

28. Letter and Copy of 2010 Annual Financial Report for the Huntington Fire District from Joyce Logan, Deputy Treasurer File
cc: Comptroller
29. Memoranda received from Lynn Pincomb, Village Administrator for Huntington Bay, regarding Planning Board hearings to be held on March 16, 2011 at 7:30 PM at Village Hall regarding A) Property located at 264 Bay Avenue – to construct an in-ground pool and legalize various structures constructed without a permit – Steep Slope Special Permit is required B) 17 Woodland Drive – construct structural alterations to an existing dwelling and legalize various structures constructed without a permit. A Zoning Board of Appeals hearing will be held on March 17, 2011 at 7:30 PM at Village Hall regarding C) Crescent Beach Drive – to construct a new dwelling on an undeveloped lot on Crescent Beach Drive and legalize a timber retaining wall South of Mean High Water, a concrete block retaining wall in the middle of property and a stone retaining wall near Crescent Beach Drive. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
30. Letter hand delivered to the Town Clerk's Office from J. Kenneth Taylor, MD and Bette D. Taylor regarding the construction of a pier, ramp and float at the DeBono residence. They are in support of the construction as long as regulations are met. Supervisor
Town Board
Town Attorney
Maritime Services
Engineering Services
cc: Planning & Environment
31. Multiple emails received in support of designating Hotel Huntington as a Historic Landmark. Emails submitted from: Rashmi Rai, George Tomlinson, Gerard Seitz, Valerie Whyte, Krishtia Lindgren, Barbara Romano, Bob Araujo, Lauri Mailloux, Paula Dodge, Veronica Katz, Pam Ello, Louise Mangan, Ronald Seitz, Sue Ann Dennehy, Robin Araujo, Joan Nickels, Allison Close, Maureen Stevenson, Susan & Harvey Wolf, Virginia Furman and Stephen & Dr. Renee Danseglio, Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission
32. Email received from Alexandra Parsons Wolfe, Director of Preservation Services, for the Society for the Preservation of Long Island Antiquities requesting that the Town Clerk distribute a letter she wrote to the Supervisor and Town Board members regarding Hotel Huntington/Aboff Building. Writer would like this property to be designated historic. Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

2011- 77

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT
WITH THE SUFFOLK COUNTY BOARD OF ELECTIONS FOR THE USE OF
HUNTINGTON TOWN HALL AS A POLLING PLACE FOR THE ELECTION
DISTRICTS 30 AND 63 IN THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by **COUNCILMAN CUTHBERTSON**

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the Suffolk County Board of elections has requested the use of Huntington Town Hall as the official polling place for Election Districts 30 and 63 in the Town of Huntington to be used on Primary and General Election days; and

WHEREAS, this action is classified as a Type II action pursuant to 6 N.Y. C.R.R. 617.5 (c) (20), and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the Suffolk County Board of Elections for the use of Huntington Town Hall as the official polling place for Election Districts 30 and 63 for 2011 and 2012, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO REPRESENT THE TOWN OF HUNTINGTON IN ALL MATTERS RELATING TO STATE ASSISTANCE PURSUANT TO THE ROUND 10 URBAN AND COMMUNITY FORESTRY GRANT PROGRAM NUNC PRO TUNC

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is applying to the New York State Department of Environmental Conservation for a grant under the Urban and Community Forestry Grant Program; and

WHEREAS, as a requirement under the rules of these programs, the approval/endorsement of the governing body of the municipality in which the project will be located is necessary; and

WHEREAS, the Town Board supports the Department of Planning and Environment's application to meet goals of the Horizons 2020 Town of Huntington Comprehensive Plan by implementing the TRIPLE (Tree Registry, Inventory, and Planting Location Evaluation) Program to create a registry of new trees being added to the local landscape; inventory the Town system of over 140 parks for trees and forest habitat; and conduct a planting location evaluation to add tree cover to the Town's active parks that provide the most opportunity for people to experience them and the EOSPA Committee has indicated support to provide the match for the inventory and planting locations evaluation; and

WHEREAS, the action is classified Type II pursuant to 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary process necessary to the formulation of a proposal for action, which does not commit the Town Board to commence, engage in or approve such action;

NOW, THEREFORE BE IT

RESOLVED, that the Supervisor of the Town of Huntington, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$25,000 in accordance with the provisions of the Urban and Community Forestry Grant Program, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this Town of Huntington for the Town Tree Registry, Inventory and Planting Location Evaluation (TRIPLE) Program; and

BE IT FURTHER

2011-78

RESOLVED, that the Town Board hereby authorizes the Comptroller to amend the Town's Operating and/or Capital Budgets, as necessary, upon execution of all required documentation, not to exceed the amount awarded and the Town's share of funding required (\$25,000.00) on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund, and charged to the appropriate capital budget account for the park improvement recommended by the EOSPA Committee for implementation by the Department of Planning and Environment.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO AMEND A PUBLIC ART AGREEMENT WITH AN ARTIST FOR PURCHASE OF A SCULPTURE CURRENTLY INSTALLED IN THE ANNE FRANK MEMORIAL GARDEN WITHIN ARBORETUM PARK

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND** and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, to enhance the beauty of Huntington and the integration of art throughout our community, the Town Board established a Public Art Initiative for the Town of Huntington in 1998, appointed a nine-member Public Art Advisory Committee and approved related guidelines and procedures (Resolution 2001-550); and

WHEREAS, during planning for the Anne Frank Memorial Garden located in Arboretum Park, Park Steward Robin Laban, in association with the project's landscape designer Steven Dubner, proposed the inclusion of an area for the installation of appropriate sculptural work; and

WHEREAS, in cooperation with the Town's Public Art Advisory Committee and in accordance with approved Public Art Initiative procedures, a Request for Proposals (RFP) for a temporary, 12-month installation of existing sculpture in the Anne Frank Memorial Garden was drafted and issued; and

WHEREAS, the small number of proposals received in response to this RFP resulted in the RFP being revised and reissued to also permit submission of proposals for the creation of new sculpture for temporary installation at this site; and

WHEREAS, following review by the duly appointed Artist Selection Panel of the proposals submitted by five (5) different artists in response to the second RFP, a proposal by Huntington artist Thea Lanzisero for creation and installation of a sculpture entitled *Dress Armor* was recommended by the Panel, endorsed by the Public Art Advisory Committee, and approved by the Town Board (Resolution 2010-228); and

WHEREAS, the poor response to the initial RFP and the small number of submissions received in response to the second RFP caused the Public Art Advisory Committee to re-evaluate the viability of seeking future proposals for temporary installation of appropriate sculpture at this site on an annual basis; and

WHEREAS, the Public Art Advisory Committee concluded that the unique nature of this site and particularly its association with the life and ideals of Anne Frank significantly reduce the prospect for receipt of proposals for temporary installation of appropriate

2011- 79

sculpture at this location as opposed to the commissioning of a work designed specifically for this site; and

WHEREAS, both the Public Art Advisory Committee and Park Steward Robin Laban concur in their observation that *Dress Armor*, the work currently installed and created specifically for this site, is a very sensitive and moving work evocative of the spirit and ideals of Anne Frank and thus an exceptionally appropriate sculpture for this location, and consequently they jointly recommend that this work be purchased and retained as a permanent addition to the Anne Frank Memorial Garden; and

WHEREAS, purchase of a work of public art is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the existing agreement with the artist Thea Lanzisero (16 Virginia Avenue, Huntington, NY 11743), and to any and all documents in connection therewith, amending the 12-month temporary installation of the sculptural work entitled *Dress Armor* (a/k/a *Child's Dress*) in the Anne Frank Memorial Garden within Arboretum Park to the purchase of this work for permanent installation on this site and modifying the amount of the agreement from the sum of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS to an amount not to exceed the sum of SEVEN THOUSAND SIX HUNDRED AND NO/100 (\$7,600.00) DOLLARS charged to A-7460.4012 (Public Art Initiative), and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 80

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT
WITH ORGANIC GOLF MAINTENANCE AND DESIGN, LLC, FOR ORGANIC
MAINTENANCE SERVICES AT HBC & MIDDLE EARTH SOCCER FIELDS

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington wishes to continue the organic maintenance and insect control program at HBC and Middle Earth Soccer Fields as provided by Organic Golf Maintenance and Design, LLC, P.O. Box 715, Melville, New York 11747-0715; and

WHEREAS, entering into a consulting agreement is a Type II action pursuant to 6 N.Y. C.R.R.617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Organic Golf Maintenance and Design, LLC, P.O. Box 715, Melville, New York 11747-0715, and any documents in connection therewith, for the provision of consulting services related to the organic maintenance of HBC and Middle Earth Soccer Fields for a term of one (1) year commencing on April 1, 2011 and terminating on March 31, 2012, for an amount not to exceed FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS to be charged to operating Budget Item A1621-4550, and on such other terms and conditions as may be acceptable to the Town Attorney: and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 - 81

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A ONE-YEAR CONTRACT WITH ORGANIC GOLF MAINTENANCE AND DESIGN, INC., FOR ENGINEERING DESIGN SERVICES TO CONTINUE THE RECONSTRUCTION OF TEES & BUNKERS AT THE DIX HILLS GOLF COURSE

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by : **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Organic Golf Maintenance and Design, Inc, P.O. Box 715, Melville, New York 11747-0715, has prepared a one-year plan to continue the renovation work at the Dix Hills Golf Course, providing tee and bunker design recommendations, overseeing construction/renovations of holes 2,3 and 4; and

WHEREAS, entering into a consulting agreement is a Type II action pursuant to 6 N.Y. C.R.R. 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Organic Golf Maintenance and Design, Inc, for engineering design services related to the ongoing reconstruction of the Town of Huntington Dix Hills Golf Course Tees & Bunkers for a term of one (1) year commencing April 1, 2011 and terminating March 31, 2012 for an amount not to exceed THIRTY THREE THOUSAND AND NO/100 (\$33,000.00) DOLLARS to be charged to Capital Budget Item GS7197-2103 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 82

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT
WITH JAMES A. HALL PHOTOGRAPHY FOR THE PHOTOGRAPHY SERVICES
FOR CAMPS.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington, Department of Parks & Recreation provides camp photographs to their camp participants for the 2011-2012 summer camp programs; and

WHEREAS, the successful vendor will provide a camp photograph to each camper within the session they were photographed. Additionally, the vendor will provide a promotional mounted board with candid and group photographs for the Town to display when marketing the summer camp programs. As an additional service to camp participants the vendor also agrees to sell and invoice directly additional group or candid photos to parents who request them; and

WHEREAS, sealed bids were received on February 17, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the photography services for camps, TOH 11-02R-015 and the same were opened publicly and read aloud; and

WHEREAS, James A. Hall Photography, 60 Wodside Avenue, Northport, New York 11768 is the sole bidder; and

WHEREAS, the provisions for photography services for camps is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with James A. Hall Photography for the photography services for camps. The contract period shall be effective for a two (2) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various operating budgets in object code 4481, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011- 82

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 83

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR THE TOWN OF HUNTINGTON SHELLFISH ENHANCEMENT AND EDUCATIONAL INTERNSHIP PROGRAM AT GOLD STAR BATTALION BEACH, HUNTINGTON, NEW YORK.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON,**
COUNCILWOMAN BERLAND

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington is desirous of contracting with a vendor to assist the Town with their shellfish enhancement, restoration and management objectives, develop an educational and informational-based platform to inform residents of ongoing Town projects and foster stewardship of the harbors, and create an internship opportunity for local high school and college students providing real-time education and training in aquaculture and shellfish management; and

WHEREAS, sealed proposals were received on January 14, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Town of Huntington shellfish enhancement and educational internship program at Gold Star Battalion Beach, Huntington New York RFP 2011-01-001 and the same were opened and read aloud; and

WHEREAS, Cornell Cooperative Extension of Suffolk County, 423 Griffing Avenue, Suite 100, Riverhead, New York 11901 is the sole proposer; and

WHEREAS, shellfish enhancement and educational internship program at Gold Star Battalion Beach, is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18) and (c)(21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Cornell Cooperative Extension of Suffolk County for the Town of Huntington shellfish enhancement and educational internship program at Gold Star Battalion Beach, Huntington, New York. The contract period shall be effective for a thirty-six (36) month term commencing on May 8, 2011. The annual cost is estimated to be FIFTY TWO THOUSAND SIXTY-TWO AND NO/100 (\$52,062.00) DOLLARS for 2011, FIFTY THREE THOUSAND FOUR HUNDRED TWENTY-SEVEN AND NO/100 (\$53,427.00) DOLLARS for 2012, and FIFTY FOUR THOUSAND EIGHT HUNDRED-SIXTY AND NO/100 (\$54,860.00) DOLLARS for 2013 and will be charged to Operating Budget No. A8790-4550 (*Outside Professional Services*) and Operating Budget No. A8790-4762 (*Natural Marine*

SHELLFISH ENHANCEMENT

PURCH/LF/

3/4/2011, 10:26 AM

2011-83

Resources) and upon such other terms and conditions as may be acceptable to the Town Attorney; and

The contract provides for a twenty-four (24) month option to extend by mutual agreement of both parties under the same terms and conditions, at an annual cost to be FIFTY FIVE THOUSAND FIVE HUNDRED FIFTY-NINE AND NO/100 (\$55,559.00) DOLLARS for 2014 and FIFTY SIX THOUSAND THREE HUNDRED SEVENTY-FIVE AND XX/100 (\$56,375.00) DOLLARS for 2015 and will be charged to Operating Budget No. A8790-4550 (*Outside Professional Services*) and Operating Budget No. A8790-4762 (*Natural Marine Resources*) and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-84

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH TOSKI, SCHAEFER & CO., P.C. TO PROVIDE AUDIT SERVICES FOR THE DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: March 08, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the New York State Deferred Compensation Board ("the Board") pursuant to Section 5 of the New York State Finance Law and the Rules and Regulations of the New York State Deferred Compensation Board (the "Regulations") has promulgated the Model Deferred Compensation Plan for Employees of the Town of Huntington (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS, the Town of Huntington, pursuant to Section 5 and the Rules and Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Huntington, which is administered by Hartford Life Insurance Company; and

WHEREAS, the Rules and Regulations require that all amounts held under the Deferred Compensation Plan for Employees of the Town of Huntington be audited on an annual basis; and

WHEREAS, sealed bids were received on November 19, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Town of Huntington Employees' Deferred Compensation Request for Proposals for Professional Auditing Services, RFP No. 2010-11-012 and the same were opened publicly and read aloud; and

WHEREAS, Toski, Schaefer & Co., P.C., 555 International Drive, Williamsville, New York, 14221 is the successful proposer; and

WHEREAS, the Town of Huntington employees' deferred compensation request for proposals for professional auditing services is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

*Deferred Comp Audit
Purchasing/LF*

2011-84

HEREBY AUTHORIZES the Supervisor to execute an agreement with Toski, Schaefer & Co., P.C, and any documents in connection and related therewith, for the provision of auditing services for the plan year 2009 of the Deferred Compensation Plan for Employees of the Town of Huntington for an amount not to exceed the sum of SIX THOUSAND AND NINE HUNDRED AND NO/100 (\$6,900.00) DOLLARS to be charged to Operating Budget Item A-1315-4550, and upon such terms and conditions as are acceptable to the Town Attorney. The contract period shall be effective upon execution, for a one (1) year period, and upon mutual agreement of the vendor and the Town, the contract may be extended for four (4) additional one (1) year periods under the same prices, terms and conditions. The cost of the audit will be reimbursed to the Town from the assets of the Plan and are to be recorded in Account A-2770.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 85

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH TERRY CONTRACTING & MATERIALS, INC. FOR THE BRUSH FIRE RESTORATION AT THE EAST NORTHPORT LANDFILL.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, On July 7, 2010 a brush fire affected the East Northport Landfill by burning approximately 23 acres of the 35 acre vegetated, capped landfill. The fire moved quickly from the east side of the landfill (Town Line Road) to the west side melting many of the gas vent pipes, wellheads and gas transmission lines situated above the surface of the capped landfill; and

WHEREAS, Under the NYSDEC Regulations 6NYCRR Part 360-2.15(k)(3), the Town must ensure that soil cover integrity, slopes, cover vegetation, drainage structures and gas venting structures be maintained during the post-closure period of the landfill; and

WHEREAS, the Town has submitted a claim to the Town's property insurance carrier and after meeting the deductible, will recover a substantial portion of the cost of repair of the landfill; and

WHEREAS, this project consists of the rehabilitation to these wells and vents affected by the brush fire. The fire also affected certain drainage systems (culverts, channels, rip-rap swales and collection basins) that will be replaced or restored as part of this project. As a result of the fire suppression services, isolated areas of the capped surface were eroded or impacted by the water used to put out the fire. These eroded areas as well as areas where the vegetation was impacted by the fire are to be top-dressed with new topsoil and hydro-seeded (4 acres). The Contractor shall be cognizant that all restoration work is to be performed in a manner that protects the integrity of the final closure system and the surrounding waste handling operations; and

WHEREAS, sealed bids were received on February 10, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the brush fire restoration at the East Northport landfill, Contract No. EWM 2011-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, Terry Contracting & Materials, Inc., 840 West Main Street, Riverhead, New York 11901 is the low bidder; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

2011-85

WHEREAS, brush fire restoration at the East Northport landfill is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Terry Contracting & Materials, Inc. for the brush fire restoration at the East Northport landfill. The contract period shall be effective upon the execution of the contract for one (1) year for an amount not to exceed the sum of THREE HUNDRED EIGHT THOUSAND TWO HUNDRED SEVENTY AND NO/100 (\$308,270.00) DOLLARS, to be charged to fund number A8166-2103, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating and Capital Budget as follows and to revise this amendment further to reflect the actual insurance recovery:

Increase Revenues:

A-2680	Insurance Recoveries	\$200,000.00
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Decrease Appropriations

A8164-4990	Refuse Disposal Charges	(\$108,270.00)
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Increase Appropriations:

A8166-2103	Land Improvements	\$308,270.00
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 86

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH COASTAL CHARTER SERVICE CORP. FOR THE BUS SERVICE FOR RECREATION PROGRAMS.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington operates a variety of recreational programs which require bus transportation services for their program participants at various locations; and

WHEREAS, sealed bids were received on January 27, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the bus service for recreation programs, TOH 11-01-013 and the same were opened publicly and read aloud; and

WHEREAS, Coastal Charter Service Corp., 242 W. Montauk Highway, Hampton Bays, New York 11946 is the low bidder; and

WHEREAS, bus service for recreation programs is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Coastal Charter Service Corp. for the bus service for recreation programs. The contract period shall be effective for a one (1) year term commencing upon execution of the contract to be charged to A7140-4410, A7141-4410 and A7187-4410, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 87

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH LOUIS BARBATO LANDSCAPING, INC. FOR THE TOWNWIDE REQUIREMENTS CONTRACT FOR TREE PLANTING.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, under this contract, the Contractor shall furnish, plant and maintain trees and provide all necessary labor, equipment and materials; and

WHEREAS, sealed bids were received on February 10, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract for tree planting, Contract No. HWY 2011-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, New York 11741 is the low bidder; and

WHEREAS, the townwide requirements contract for tree planting is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Louis Barbato Landscaping, Inc. for the townwide requirements contract for tree planting. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to Operating Budget Item No. DB 5140-2784, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 88

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH CHELSEA ROSE CONSTRUCTION CORP. D/B/A THE DECK AND PATIO CO. FOR THE DESIGN AND CONSTRUCTION OF A RAINWATER HARVESTING GARDEN AT THE LONG ISLAND RAIL ROAD STATION IN HUNTINGTON STATION, NEW YORK.

Resolution for Town Board Meeting Dated: March 8, 2011.

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington is desirous of contracting with a qualified landscaper to design and build a rainwater harvesting garden to beautify the corner of New York Avenue and Broadway, at the Long Island Railroad Station and to introduce a semi-self sustaining planting area including new plantings, paved areas to collect rainwater and an irrigation system; and

WHEREAS, sealed proposals were received on November 12, 2010 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the design and construction of a rainwater harvesting garden at the Long Island Rail Road Station in Huntington Station, New York, RFP No. 2010-11-013 and the same were opened publicly and read aloud; and

WHEREAS, Chelsea Rose Construction Corporation d/b/a The Deck and Patio Co., 189 Broadway, Huntington Station, New York 11746 is the sole proposer; and

WHEREAS, the Town Board authorized the Comptroller to appropriate EOSPA neighborhood enhancement program funding by resolution #2009-481 of September 22, 2009; and

WHEREAS, the design and construction of a rainwater harvesting garden was classified a Type II action by prior Town Board resolution #2009-481 pursuant to 6 N.Y.C.R.R. §617.5(c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Chelsea Rose Construction Corporation d/b/a The Deck and Patio Co. for the Rainwater Harvesting Garden at Long Island Rail Road Station in Huntington Station, New York. The contract period shall be effective upon execution, for an amount not to exceed the sum of NINETEEN THOUSAND SEVEN HUNDRED SEVENTY SIX and NO/100 (\$19,776.00) DOLLARS, to be charged to

2011-88

EG7197-2103-NE012, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH VHB ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, P. C. FOR DESIGN, INSPECTION AND ARRA REPORTING REQUIREMENTS - WALT WHITMAN ROAD RECONSTRUCTION PROJECT

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Town Board resolution 2009-393 authorized the Supervisor to execute a contract with VHB Engineering, PC for the Walt Whitman Road Reconstruction Project; and

WHEREAS, when construction activities began, the Town was notified by The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) that the previously approved Construction Management Plan (CMP) required modification pursuant to the American Reinvestment Recovery Act (ARRA); and

WHEREAS, VHB Engineering has submitted a detailed proposal requesting additional compensation for the substantial increases in both construction observation and ARRA reporting efforts which resulted from said required changes to the CMP; and

WHEREAS, in addition, site development changes requested by Canon USA necessitated increased engineering services and coordination with utility providers and NYSDOT; and

WHEREAS, the Town has been awarded federal funding through the American Recovery and Reinvestment Act for this project which will support this amendment and costs associated with the site development changes requested by Canon USA will be reimbursed from their development impact fee resulting in no fiscal impact to the Town General Fund; and

WHEREAS, pursuant to SEQRA 6 NYCRR Section 617.5(c)(1),(16), maintenance or repair of an existing structure and installation of traffic control devices on existing roads is a Type II action and therefore, no further review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the contract, and any and all documents in connection therewith, with VHB Engineering, Surveying and Landscape Architecture, P. C., 2150 Joshua's Path, suite 300, Hauppauge, New York 11788 for the Walt Whitman Road Reconstruction Project, to provide compensation for

2011-89

additional engineering efforts needed to comply with Federal Highway Administration and NYS Department of Transportation project requirements for additional amounts not to exceed \$197,787.00 for Walt Whitman Rd. Reconstruction to be charged to Capital Budget Item EG5997-2776-GT016 and not to exceed \$68,363.00 for Canon USA's site development changes to be charged to Capital Budget Item EG5997-2776-K0025, the total not to exceed the sum of TWO HUNDRED SIXTY-SIX THOUSAND ONE HUNDRED FIFTY AND NO/100 (\$266,150.00) DOLLARS, upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Mark A. Cuthbertson	AYE
Councilman Susan A. Berland	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 90

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION
TO THE CONTRACT WITH DAVID R. MALTZ & CO., INC. FOR THE PUBLIC
AUCTION OF SURPLUS ITEMS

Resolution for Town Board Meeting Dated: March 8, 2011

COUNCILWOMAN BERLAND,

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town wishes to expand the available audience of potential purchasers for the Town of Huntington's surplus and obsolete inventory items; and

WHEREAS, Town Board Resolution 2009-72 authorized the execution of a contract with David R. Maltz & Co., for the public auction of surplus items and the sale for scrap of vehicles not sold at auction after reasonable efforts; and

WHEREAS, said contract provides for a one (1) year extension with no increase in the prices, or change in the terms and conditions; and

WHEREAS, David R. Maltz & Co., Inc., 155 Terminal Drive, Plainview, New York 11803 has requested the one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract, and any documents in connection and related therewith, with David R. Maltz & Co., Inc. for the public auction of surplus items and the sale for scrap of vehicles not sold at auction after reasonable efforts, for a term of one (1) year commencing on April 21, 2011, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 91

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT WITH DRIVE TRAIN TRUCK PARTS, CORP. FOR LIGHT TRUCK AND HEAVY DUTY MANUAL TRANSMISSION AND REAR DIFFERENTIAL, REBUILD AND REPAIR.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND,**
COUNCILWOMAN JACKSON
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the maintenance of transmissions and engines on Town vehicles is required in order to facilitate efficiency of services and prolong the life expectancy of the vehicles; and

WHEREAS, Town Board Resolution 2010-66 authorized the execution of a contract with Drive Train Truck Parts, Corp. for light truck and heavy duty manual transmission and rear differential, rebuild and repair, Bid No. 10-01R-008; and

WHEREAS, said requirements contract provides for a one (1) year extension with no increase in the bid price or change in the terms and conditions; and

WHEREAS, based on a review of current market conditions, it is in the best interest of the Town to exercise this extension; and

WHEREAS, Drive Train Truck Parts, Corp., 763 Blue Point Road, Holtsville, New York 11742 has requested the one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts, Corp. for light truck and heavy duty manual transmission and rear differential, rebuild and repair. The extension period shall be effective for one (1) year commencing on April 1, 2011 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-92

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN OPERATING
AGREEMENT WITH THE TOWN OF HUNTINGTON ECONOMIC
DEVELOPMENT CORPORATION

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, via Town Board Resolution 2003-353 the Town Board exercised its powers under the New York State Public Authorities Law to authorize the formation of the Town of Huntington Economic Development Corporation (EDC) as a Local Development Corporation under § 1411 of New York Not-for-Profit Law; and

WHEREAS, the EDC continues to function in part, as an economic development advisory board and Huntington Station revitalization agency to the Town Board, working regularly to advance both new and existing initiatives for the betterment of the Town; and

WHEREAS, the Town Board wishes to renew its agreement with the Town of Huntington Economic Development Corporation in order that this entity may continue to assist the Town and its residents; and

WHEREAS, the execution of an agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT

RESOLVED, the Town Board HEREBY AUTHORIZES the Supervisor to execute an agreement in a form acceptable to the office of the Town Attorney, detailing and setting forth the terms, including the mutual rights, duties and obligations between the Town of Huntington and the Town of Huntington Economic Development Corporation.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011- 93

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH ABSOLUTE CONTROL HVAC CORP. FOR HEATING VENTILATION AND AIR CONDITIONING (HVAC) SERVICE, INSTALLATION AND MAINTENANCE.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, this requirements contract will enable a certified mechanic to service, maintain and install heating ventilation and air conditioning (HVAC) equipment as required in accordance with the manufacturer's recommended specifications throughout various facilities in the Town of Huntington; and

WHEREAS, the contractor must utilize high-energy efficiency HVAC equipment that meets or exceeds the energy efficiency specifications set forth in ENERGY STAR and meets or exceeds LIPA and/or National Grid efficiency and incentive levels to qualify for utility rebates if available; and

WHEREAS, sealed bids were received on January 27, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the requirements contract for the HVAC service, installation and maintenance, TOH 11-01R-012 and the same were opened publicly and read aloud; and

WHEREAS, Absolute Control HVAC Corp., 962 Sunrise Highway, West Babylon, New York 11704 is the low bidder; and

WHEREAS, HVAC service, installation and maintenance is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Absolute Control HVAC Corp. for HVAC service, installation and maintenance. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011- 93

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION TO CONTRACT A HYDROLOGY STUDY AND STEWARDSHIP PLAN FOR THE CRAB MEADOW WATERSHED AND EXECUTE ANY RELATED DOCUMENTS

Resolution for Town Board Meeting Dated: March 8, 2011

The following Resolution was offered by: **COUNCILMAN CUTHBERTSON,**
COUNCILWOMAN JACKSON

And seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

WHEREAS, the National Fish and Wildlife Foundation is accepting applications by March 18, 2011 for financial assistance pursuant to the Long Island Sound Futures Fund, a component of which provides specialized grant funding to conduct watershed planning to lead habitat restoration, enhance water quality, and improve stewardship; and

WHEREAS, the Town of Huntington wishes to submit a proposal request of fifty-eight thousand (\$58,000) dollars with a project match to be provided through grants received, projects completed, and in-kind services to contract consulting services to conduct a Crab Meadow Watershed hydrological analysis and stewardship plan to include the public lands within a 680-acre assemblage (Ambro Wetlands, Fuchs Pond, Henry Ingraham and Makamah Preserves, Crab Meadow Beach and Golf Course), to identify all flows and tidal, fresh and stormwater inputs to the system, and determine efficiency of artificial impoundments, weir structures and conduits, to identify a long and short-range implementation program to enhance water quality, consistency of flows, habitat restoration, and best management for an area identified as a LI Sound Habitat Initiative Priority Site and a LI Sound Stewardship Anchor Site; and

WHEREAS, the Town Board appointed a Crab Meadow Watershed Advisory Committee to assist creation of a watershed stewardship plan and this initiative will build upon the Committee's efforts to date and the Committee will meet and work with a qualified future consultant that will be selected after a formal request for proposals; and

WHEREAS, submitting a grant application for a study and plan development is a Type II action pursuant to 6 NYCRR § 617.5(c)18 and therefore no further SEQRA review is required at this time; however, future plan adoption may require further review;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Supervisor of the Town of Huntington to apply for and receive financial assistance from the National Fish and Wildlife Foundation - Long Island Sound Futures Fund (Crab Meadow Watershed Hydrology Study and Stewardship Plan) and to execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney, and

2011-94

HEREBY AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets, as necessary, upon execution of all required documentation, not to exceed the amount awarded and the Town's share of funding required.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-95

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH CREATIVE ADVERTISING CONCEPTS FOR A MARKETING CAMPAIGN FOR THE GREEN JOBS-GREEN NEW YORK/ BETTER BUILDINGS ENERGY EFFICIENCY AUDIT AND RETROFIT PROGRAM

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town currently offers an energy efficiency and retrofit education and guidance to its residents free-of-charge, through the Huntington EECO Homes program, as authorized through the Energy Efficiency and Conservation Block Grant ("EECBG") and financed by American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, the Community Development Corporation of Long Island ("CDCLI") administers a separate ARRA grant for the New York State Energy Research & Development Authority ("NYSERDA") in connection with outreach and marketing for the Long Island region for NYSERDA's Green Jobs-Green New York Better Buildings (GJ-GNY/Better Buildings) that offers comprehensive energy audits and low cost financing for retrofits for homes, small businesses and not-for-profit organizations; and

WHEREAS, the Town has previously authorized (Resolution 2011-17) a contract with CDCLI for GJ-GNY/Better Buildings marketing and outreach and accepting funding from CDCLI for said purpose; and

WHEREAS, the Town Board believes that the comprehensive energy audit assistance and retrofit financing options available through GJ-GNY/Better Buildings is an ideal program to offer through Huntington EECO Homes and that marketing GJ-GNY/Better Buildings will create synergies that will increase the success rate for both programs; and

WHEREAS, proposals for marketing GJ-GNY/Better Buildings were received and evaluated and a recommendation made to award the contract to Creative Advertising Concepts, 74 West Park Ave., Long Beach, NY 11561, which has extensive municipal marketing experience and is in the best position to coordinate this program within the Town's general marketing effort; and

WHEREAS, the execution of this contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20)(21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

2011-95

HEREBY AUTHORIZES the Supervisor to execute an agreement and any documents in connection and related therewith with Creative Advertising Concepts, 74 West Park Ave., Long Beach, NY 11561, for professional marketing services for the Green Jobs-Green New York /Better Buildings program, not to exceed the amount of FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS for the first year of the grant and not to exceed forty percent of the approved CDLCI grant amount for each consecutive CDLCI grant year thereafter. The term of this contract shall be April 1, 2011 to March 31, 2013 to be charged to Operating Budget Item A1440-4700 and A1440-4500 upon such other terms and conditions as approved by the Town Attorney.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 96

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A RENEWAL OF THE ANNUAL SUPPORT AND LICENSE AGREEMENT FOR THE TOWN'S MUNICIPAL FINANCIAL SOFTWARE PACKAGE, (MUNIS) WITH TYLER TECHNOLOGIES INC., MUNIS DIVISION

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town utilizes a municipal financial software package under license agreement with Tyler Technologies, Inc., MUNIS Division (MUNIS) of Falmouth, Maine for the purposes of managing Accounts Receivable, Purchasing, Payroll, and the Utility Billing function in various Town departments; and

WHEREAS, the renewal of the proprietary Annual Support Agreement and License Agreement for the period of April 2, 2011 through April 1, 2012 is necessary for the continued maintenance, support and annual licensing with system version upgrades to said software; and

WHEREAS, MUNIS is the only source for the proprietary annual support and license agreement for the software and enables the Town to access programming maintenance, support and version upgrades for MUNIS; and

WHEREAS, MUNIS, with its principal place of business at 370 US Route One, Falmouth, Maine, 04105 provided the net cost of \$113,104.95 for the annual renewal of support services and update licensing; and

WHEREAS, the execution of this renewal agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute the renewal of the Annual Support and Licensing Agreement for the Town's municipal financial software package with Tyler Technologies, Inc., MUNIS Division, and any documents in connection therewith, not to exceed a total of ONE HUNDRED THIRTEEN THOUSAND ONE HUNDRED FOUR AND 95/100 (\$113,104.95) DOLLARS, of which the amount of ONE HUNDRED SIX THOUSAND NINE HUNDRED AND EIGHTY-TWO AND 40/100 (\$106,982.40) DOLLARS to be charged to Operating Budget Item A1680-4570 and SIX THOUSAND ONE HUNDRED AND TWENTY-TWO AND 55/100 (\$6,122.55) DOLLARS to be charged to the Dix Hills Water District for the Utility Billing Operating budget Item SW18321-4570 for the period of April 2, 2011 through April 1, 2012 upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-96

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 97

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT WITH FM GENERATOR INC. FOR THE MAINTENANCE OF DIESEL GENERATOR EQUIPMENT FOR THE TOWN OF HUNTINGTON WASTEWATER TREATMENT FACILITY.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the intent of this requirements contract is to provide preventive maintenance services and emergency services to the diesel generator equipment located at the Town of Huntington sewage treatment facilities; and

WHEREAS, the work to be performed under the specifications of the contract shall consist of furnishing all material, labor, supervision, tools, supplies and other related expenses necessary to provide full maintenance services, including but not limited to inspections, adjustments, tests and replacement of parts for all equipment covered under the contract; and

WHEREAS, sealed bids were received on January 6, 2011, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for the maintenance of diesel generator equipment for the Town of Huntington wastewater treatment facility, bid no. TOH 11-01R-002 and the same were opened publicly and read aloud; and

WHEREAS, FM Generator Inc., 35 Pequit Street, Canton, MA 02021 is the low bidder; and

WHEREAS, maintenance of diesel generator equipment for the Town of Huntington wastewater treatment facility is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with FM Generator Inc. for a requirements contract for the maintenance of diesel generator equipment for the Town of Huntington wastewater treatment facility. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to operating budget item SS1 8131, SS2 8132 and SS3 8133 in the object code .4650, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-97

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 98

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE FRANCHISE AGREEMENT WITH LONG ISLAND KAYAK ACADEMY & OUTFITTERS, LLC TO CONDUCT A KAYAKING PROGRAM FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is desirous of providing an instructional kayaking program at Gold Star Battalion Beach for youth and adults in the community; and

WHEREAS, Town Board Resolution 2010-278 authorized the enactment of a franchise agreement with Long Island Kayak Academy & Outfitters, LLC for conducting a kayaking program, RFP 2010-03-006; and

WHEREAS, said contract provides for two (2) additional one (1) year extensions under the same prices, terms and conditions; and

WHEREAS, Long Island Kayak Academy & Outfitters, LLC, PO Box 382, Huntington, New York 11743 has requested the one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an extension to the franchise agreement, and any documents in connection and related therewith, with Long Island Kayak Academy & Outfitters, LLC for conducting a kayaking program. The extension period shall be effective for one (1) year commencing on July 23, 2011. The Town will receive 20% of the total revenue generated and will be deposited into Operating Budget Item No. A2006, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- /00

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT TO RENT AN APARTMENT AT FUCHS POND PRESERVE IN NORTHPORT, NEW YORK, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington is the owner of certain real property known as Fuchs Pond Preserve located in the Town of Huntington address at 21 Norwood Road, Northport, New York; and

WHEREAS, on the property known as Fuchs Pond Preserve there are several structures and the Town of Huntington desires to enter into a license agreement for the use of said structures, specifically the license to use the upper portion for the detached garage to an individual or entity; and

WHEREAS, the Town Attorneys office has caused an appraisal of the premises to be conducted by Breslin Realty Appraisal Services, and

WHEREAS, a prior licensee has vacated the premises and it is in the Town's best interest to have provide a presence at the premises to avoid incidents of vandalism; and

WHEREAS, the Town of Huntington is desirous of entering into a License Agreement with Josh Sulkey to occupy said premises and to perform specific services with regard to the property, including but not limited to, visual inspection of the premises and visual inspection of adjoining structures, for a one year period commencing on the date of execution of the License Agreement by both parties, with one (1) possible extension for a one (1) year period on such terms and conditions as may be acceptable to the Town Attorney at that time; and.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a License Agreement, nunc pro tunc, and any other related documents, with Josh Sulkey pertaining to the licensing of the apartment area above the garage at the Fuchs Pond Preserve for a monthly License Fee of EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$850.00) to be deposited into Operating Budget Account A2410, for a term of one (1) year commencing on the date of execution by both parties, with the possibility of a one (1) year only extension, and on such terms and conditions as may be acceptable to the Town Attorney.

2011- 100

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-101

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE DEEDS AND ALL NECESSARY DOCUMENTS TO TRANSFER TITLE TO A 0.324 ACRE PARCEL OF TOWN LAND ON WOODCHUCK HOLLOW ROAD, COLD SPRING HARBOR.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by **SUPERVISOR PETRONE**

and seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, Dean and Amy D'Amelio of 364 Woodbury Road, Cold Spring Harbor and Thomas Zazarino of 360 Woodbury Road, Cold Spring Harbor, sought an abandonment of that unimproved portion of Woodchuck Hollow Road ("paper street" portion) under Real Property Law §335(1) that adjoins their individual properties; and

WHEREAS, upon further investigation, it was determined that Woodchuck Hollow Road was not part of a previously-filed subdivision map as required under Real Property Law §335(1) and that, as such, the unimproved portion could not be abandoned;

WHEREAS, Mr. and Mrs. D'Amelio and Mr. Zazarino thereafter sought to purchase the unimproved portion of Woodchuck Hollow Road that adjoins each of their properties and has since reimbursed the Town for a fair market appraisal done by Berger & Associates Appraisers, LLC, dated January 4, 2011 which determined that a fair market value of the .0324 acre parcel to be ELEVEN THOUSAND AND NO/100 (\$11,000) DOLLARS and the D'Amelio's and Mr. Zazarino have now offered, in writing, to purchase the parcel for that fair market appraised value, each to receive 50% thereof; and

WHEREAS, the Highway Superintendent and the Department of Planning & Environment have both consented to the sale, having determined the parcel is not needed for Town purposes, with the provision, as requested by Planning, that the deed cite the restriction that, "no future subdivision be permitted that would result in lots not conforming to existing zoning" and the D'Amelio's and Mr. Zazarino have both agreed to that deed restriction in writing; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY AUTHORIZES the Supervisor to execute deeds and all necessary documents to transfer title to a .0324 acre parcel of Town land on Woodchuck Hollow Road, Cold Spring Harbor to Dean and Amy D'Amelio and Thomas Zazarino, each to be

2011-101

entitled to 50% of the parcel, and together make a total payment of ELEVEN THOUSAND AND NO/100 DOLLARS to the Town to be recorded in Operating Revenue Account C2660.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-102

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO LEVY ON THE PERFORMANCE BOND OF DAREN A. RATHKOPF, AS PRINCIPAL, FOR REQUIRED IMPROVEMENTS FOR THE SUBDIVISION KNOWN AS HOGAN PLAT.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Performance bond #1210 in the form of \$39,324.00 cash posted by Daren A. Rathkopf, as Principal, for the project known as Hogan Plat.

WHEREAS, in response to a petition by the applicant and by a resolution the Huntington Town Planning Board extended the term of the performance bond to 11/13/2007; and

WHEREAS, the applicant has not requested an extension or paid the requisite increases to bring the bond up to date since 11/13/2007, nor has the applicant completed bonded improvements to the site; and

WHEREAS, the applicant's request for waivers was denied at the February 9, 2011 Town Board Planning Board meeting, and therefore, the Huntington Town Planning Board has recommended that the Huntington Town Board declare the bond in default; and

WHEREAS, authorizing the Town Attorney to levy on the Performance bond the within action is classified as Type II pursuant to SEQRA and no further action is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY DIRECTS, the Town Attorney to levy on the Performance bond #1210 of Daren A. Rathkopf and seize the full amount of \$39,324.00 for the purpose of completing the installation of improvements; and

HEREBY RESOLVES, that upon seizure of the funds the Town Board directs the Director of Engineering Services to take action as required to provide for proper installation of the aforementioned improvements; and

2011-102

HEREBY RESOLVES, that if prior to action by the Town Attorney to seize the funds, the applicant either fulfills the condition of the Planning Board approval or petitions the Planning Board for an extension of the term and pays the requisite fee, or otherwise resolves the requirements upon the Planning Board's grant to extend the term, action to levy on the bond shall cease.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON CECLARED DULY ADOPTED

2011- 103

RESOLUTION ACCEPTING THE DONATION OF A SCOREBOARD AND ASSOCIATED MATERIALS FROM THE LOUIS J. ACOMPORA FOUNDATION FOR INSTALLATION AT VETERANS PARK IN EAST NORTHPORT.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON**

WHEREAS, The Louis J. Acompora Foundation is a charitable organization committed to raising awareness among schools and other public institutions about the importance of owning Automated External Defibrillators (AED's); and

WHEREAS, the Louis J. Acompora Foundation would like to donate a scoreboard to be installed on one of the synthetic turf fields at Veterans Park to honor Louis J. Acompora and to further advance the foundation's mission of promoting the importance of having AED's readily available at sporting events and other locations of public assembly; and

WHEREAS, the acceptance of this donation is a Type II action pursuant to 6 N.Y.C.R.R. 617.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donation a scoreboard from the Louis J. Acompora Foundation to be installed at Veterans Park and sincerely thanks the Foundation for its generosity and commitment to safeguarding the welfare of the public.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 104

RESOLUTION ACCEPTING THE DONATION OF A SOUND SYSTEM FOR THE
NEW DIX HILLS ICE RINK SKATING FACILITY FROM THE LONG ISLAND
REBELS YOUTH HOCKEY CLUB, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland
and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Long Island Rebels Youth Hockey club is an organization committed to teaching and training hockey skills and sportsmanship to male and female youth athletes from Huntington and across Long Island; and

WHEREAS, the Long Island Rebels Youth Hockey club would like to donate a sound system to be installed inside the new Dix Hills Ice Skating rink to be enjoyed by hockey players, figure skaters and the general skating public; and

WHEREAS, the acceptance of this donation is a Type II action pursuant to 6 N.Y.C.R.R. 617.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donation of a sound system from the Long Island Rebels Youth Hockey club to be installed at the Dix Hills Ice Skating Facility and sincerely thanks the Rebels for its generosity and commitment to youth hockey.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-105

RESOLUTION ACCEPTING A DONATION FROM COVANTA ENERGY CORPORATION FOR THE PROMOTION, MARKETING AND OPERATING EXPENSES ASSOCIATED WITH THE "2011 HUNTINGTON FAMILY EARTH DAY EXPO" ON APRIL 16, 2011

Resolution for Town Board Meeting Dated: March 8, 2011

COUNCILMAN MAYOKA,

The following resolution was offered by: COUNCILMAN CUTHBERTSON

and seconded by: COUNCILWOMAN JACKSON

WHEREAS, the Town would like to expand on the success of its environmental programs and provide a forum for residents to learn about ways of conserving our natural resources through reduction, reuse and recycling measures by promoting a special event in conjunction with Earth Day 2011; and

WHEREAS, Covanta Energy Corporation, 99 Townline Road, East Northport, New York 11731 has offered to donate \$2,000 towards the costs of promoting, marketing and operating this event; and

WHEREAS, accepting a donation is continuing agency administration and a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donations from Covanta Energy Corporation in the amount of TWO THOUSAND AND XX/100 (\$2,000.00) DOLLARS for the promotion, marketing and operating expenses associated with the "2011 Huntington Family Earth Day Expo" and thanks them for their generosity; and

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating budget as follows:

Increase the following revenue:

A-2705-2705	Gifts and Donations	\$ 2,000.00
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Increase the following appropriation:

A-8565-4700	Advertising	\$ 2,000.00
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2011-105

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 106

RESOLUTION ACCEPTING DONATIONS FROM VARIOUS MERCHANTS AND
BUSINESSES RE: 2011 VALENTINE'S DAY CEREMONIES PERFORMED BY
TOWN CLERK, JO-ANN RAIA, WHO SERVES AS THE TOWN'S MARRIAGE
OFFICER, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: March 8, 2011

COUNCILWOMAN BERLAND,

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN MAYOKA, SUPERVISOR PETRONE**

WHEREAS, Jo-Ann Raia, as the Marriage Officer for the Town of Huntington has traditionally presided over multiple wedding ceremonies at Town Hall on Valentine's Day since 1995; and

WHEREAS, thirty-one merchants and businesses have donated various goods and services to the couples being married which are then to be used in conjunction with the 2011 Valentine's Day Ceremonies; and

WHEREAS, accepting donations from various merchants is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS various donations from the merchants and businesses listed on the attached Schedule "A" and thanks them for their generosity, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"
VALENTINE'S DAY WEDDING CEREMONIES 2011
CONTRIBUTION ACKNOWLEDGEMENT LIST

CELEBRATORY TREATS

A RISE ABOVE BAKE SHOP

333 Main Street
Huntington, NY 11743
(since 1995)

Mary Murray-McDonald- Owner
3 lb. tray of assorted and heart
shaped cookies

BON BONS CHOCOLATIER

319 Main Street
Huntington, NY 11743
(since 2011)

Mary Alice/Susannah Meinersman, Owners
15 gift boxes containing ½ lb. assorted
gourmet handmade chocolates for couples

COPENHAGEN BAKERY

75 Woodbine Avenue
Northport, NY 11768
(since 2002)

Stace' and Fleming Hansen- Owners
3- 8in. heart-shaped cakes decorated,
2- 2 lb trays of assorted cookies

CUPCAKE GOURMET

46 Gerard Street
Huntington, NY 11743
(since 2011)

Amy Brady, Owner
15 favor boxes containing 2 cupcakes
for couples & tray of mini cupcakes

EVERBEST BAKERY

396 Larkfield Road
East Northport, NY 11731
(since 2011)

John Calabrese, Owner
lg. tray of cookies and mini treats

GOURMET GOURMET

407 Ft. Salonga Road
Northport, NY 11768
(since 2011)

Erica Van Dyke, Owner
4 tiered arrangement of mini cupcakes
topped with a chocolate Cupid with
gold 'pixie dust'

HERRELL'S ICE CREAM

46L Gerard Street
Huntington, NY 11743
(since 2011)

Cathy Meuser, Owner
15 \$10 Gift Certificates for couples

PAGE 2
SCHEDULE "A"

2011-106

HUMMEL-HUMMEL BAKE SHOP
572 Larkfield Road
East Northport, NY 11731
(since 2000)

Derek and Susan Fruendt, Owners
two half-sheet cakes

REINWALD'S BAKERY
495 New York Avenue
Huntington, NY 11743
(since 1995)

Richard & Carol Reinwald, Owners
15 trays with mini heart shaped cakes
& cookies for couples & 2 trays of
assorted cookies

WILD FLOURS BAKE SHOP
11 New Street
Huntington, NY 11743
(since 2011)

C. Arcario/M. Mucci, Owners
15 oversized chocolate chip heart shaped
cookies for couples

FLORISTS

BECKMAN'S FLORIST
364 Larkfield Road
East Northport, NY 11731
(since 2003)

Lisa Ketcham, Manager
1 floral arrangement

BUNNY'S FLORAL
31 Schwab Road
Melville, NY 11747
(since 2006)

Judy Johnson, Owner
1 silk floral arch (on loan)

DUTCH PETALS AT
WILD BY NATURE
369 Main Street
Huntington, NY 11743
(since 2011)

Brandi, Manager
15 nosegays of flowers for brides

FLOWERS INSOLITA
388 New York Avenue
Huntington, NY 11743
(since 2006)

Kenji Adzuma, Owner
3 table centerpieces

THE FLOWER PETALER
550 New York Avenue
Huntington, NY 11743
(since 2004)

Meredith Russo, Owner
1 floral arrangement

PAGE 3
SCHEDULE "A"

2011-106

FLOWERDALE, LTD.
1320 New York Avenue
Huntington Station, NY 11746
(since 1998)

Suzanne Pseja, Owner
1 floral arrangement

GREENLAWN FLORIST
48-A Broadway
Greenlawn, NY 11740
(since 2006)

Kim Fallon, Owner
1 floral arrangement

HENGSTENBERG'S FLORIST
39 Main Street
Northport, NY 11768
(since 2002)

Terry Folcarelli, Owner
16 individually wrapped red roses in a
tube with baby's breath for brides

LAURA'S FLORAL ELEGANCE
2027 Jericho Turnpike
East Northport, NY 11731
(since 1995)

John & Laura Merlein, Owners
2 silk floral pedestal baskets
(on loan)

MAIN STREET NURSERY
& FLORIST
475 West Main Street
Huntington, NY 11743
(since 2002)

Bob McKean, Owner
1 heart floral arrangement on
stand

SUPERMARKETS

GOOD2GO DELI
147 Woodbury Road
Huntington, NY 11743
(since 2011)

Dave Glicker, Owner
4 large trays of assorted pound cakes and
banana breads

KING KULLEN GROCERY CO., INC.
185 Central Avenue
Bethpage, NY 11714-3929
(since 2001)

Anthony Femminella, V.P. Store Operations
\$50.00 gift certificate used to purchase 13
pink roses with fern & baby's breath for
Maids of Honor

THE MARKETPLACE AT SOUTHDOWN
205 Wall Street
Huntington, NY 11743
(since 1996)

Gus Zoatas, Owner
\$75.00 Gift Card used to purchase
ingredients for fruit punch (fresh
strawberries) and 4 trays of chocolate
chip cookies

PAGE 4
SCHEDULE "A"

2011-106

PATHMARK

683 Old Country Road
Dix Hills, NY 11743
(since 2011)

\$35.00 Gift Certificate used to purchase
juices and bottles of soda for fruit punch

STOP & SHOP

1100 Jericho Turnpike
Dix Hills, NY 11743
(since 2011)

Brian, Manager
\$40.00 Gift Certificate used to purchase 23
bottles of soda for fruit punch

WILD BY NATURE

369 West Main Street
Huntington, NY 11743
(since 2011)

Joseph Scilla
½ sheet strawberry shortcake

PHARMACIES/VARIETY STORES

RITE AID

391 W. Main Street
Huntington, NY 11743
(since 2007)

Rob Lamonte, Assistant Manager
15 1-lb. boxes Valentine assorted chocolates
for couples

A TISKET A TASKET ANYTHING
IN A BASKET, INC.

220 East Main Street
Huntington, NY 11743
(since 2011)

Lisa, Owner
15 Gift Bags containing glycerin soap for
couples

VALUE DRUGS

349 New York Avenue
Huntington, NY 11743
(since 2005)

Peter Pastorelli, President
15 individual gift bags containing assorted
gifts and \$5.00 Gift Cards for the couples

PHOTOGRAPHERS

L & L CAMERA INC.

267 New York Avenue
Huntington, NY 11743
(since 1995)

Len Totoro, III, Owner
3 rolls film (24 exposures) with processing
of double prints

PHOTOS BY THOMAS

PO Box 1503
Melville, NY 11747
(since 1998)

Tom Pesce, Photographer
Photographic services for the couples

2011 - /07

RESOLUTION ACCEPTING THE DEDICATION OF TWO DRAINAGE
EASEMENTS FOR THE SUBDIVISION KNOWN AS EISINGER PLAT.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the application for the development of the subdivision map known as EISINGER PLAT was granted conditional final approval by the Huntington Planning Board on November 1, 2006; and

WHEREAS, conditions of the Planning Board approval included the dedication of two drainage easements; and

WHEREAS, the Office of the Town Attorney is in possession of all necessary documentation and filing fees; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the TOWN BOARD

HEREBY ACCEPTS the dedication of two drainage easements for the subdivision known as EISINGER PLAT.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION ADOPTING A HOME RULE MESSAGE URGING THE NEW YORK STATE LEGISLATURE TO REVISE THE STAR EXEMPTION LEGISLATION WHICH DESIGNATED LOCAL RESIDENTS AS INELIGIBLE OR UNDETERMINED AS TO QUALIFICATION FOR THE BASIC STAR EXEMPTION

Resolution for Town Board Meeting Dated: March 8, 2011

COUNCILMAN CUTHBERTSON,
The following resolution was offered by **COUNCILWOMAN JACKSON, COUNCILMAN MAYOKA**
and seconded by **SUPERVISOR PETRONE, COUNCILWOMAN BERLAND**

WHEREAS, the New York State Legislature passed a Bill imposing a \$500,000.00 personal income eligibility cap for BASIC STAR school tax relief for the 2011/2012 property tax year; and

WHEREAS, the New York State Department of Taxation and Finance designated parcels no longer eligible for the BASIC STAR exemption as either "ineligible" or of "undetermined" eligibility based upon a negligent investigative process which utilized unreliable data, incomplete records, and a faulty computerized process fraught with glitches and quirks resulting in erroneous conclusions and substantial errors; and

WHEREAS, persons of poor and moderate income are likely to loose their BASIC STAR exemption during this downturn in the economy when they can least afford such a loss; and

WHEREAS, the Town of Huntington has been advised that it must review in excess of 6,000 parcels categorized as "ineligible" and "undetermined" to re-determine eligibility and the responsibility for the cost thereof is placed upon the Town of Huntington, yet another unfunded New York State mandate; and

WHEREAS, local taxpayers face the prospect of being erroneously disqualified for the BASIC STAR exemption due to computer glitches and quirks and incompleteness in the State's administration of the eligibility decertification process, despite the best efforts of the Town; and

WHEREAS, the adoption of a home rule message regarding the amendment to the BASIC STAR exemption legislation cap of \$500,000.00 in affiliated income is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD pursuant to Section 40 of the Municipal Home Rule Law,

HEREBY urges the New York State Legislature to pass remedial legislation regarding the \$500,000.00 cap on the BASIC STAR exemption by amending the New York State Real Property Tax Law §425 for the 2012-2013 tax year and subsequent years, to require that NYS DFT implement the eligibility program on a State level on a fair and thorough investigation capable of producing equitable results; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to the Huntington delegation of the New York State Legislature and to the Home Rule Clerk of the New York State Senate & Assembly.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING MEMBERS TO THE BUILDING HOMES FOR
HUNTINGTON HEROES COMMITTEE

Resolution for Town Board Meeting Dated: March 8, 2011

The following Resolution was offered by: Councilman Mayoka

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Building Homes for Huntington Heroes Committee was established by Town Board Resolution No. 2011-76 adopted on February 1, 2011; and

WHEREAS, the purpose of the Committee shall be to assist returning veterans, who established Town of Huntington residency before entering into the service and/or being deployed by their branch of the military, who were injured while serving their Country, with housing and handicap accessible issues; and

WHEREAS, such Committee shall report directly to the Veterans Advisory Board at such times and in such manner as requested by the Veterans Advisory Board; and

WHEREAS, the appointment of members to a committee is not an action as defined by 6NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS the following individuals to the Building Homes for Huntington Heroes Committee, which will serve without compensation:

Appointee

Councilman Mark Mayoka
Raymond Mascolo
Andrew Pujol
Andrew McClure
Chad Gottlieb
Esther Lebron
Kim Levi
Doug Herrmann
Bob Ehrler
Phil Tepe
Gina Angevine
Dolan Angevine
Philip Byler
Janet Byler
Tim Hamill
Steven Kennaugh

Arnold Kirsh
Mathew Sisinni
Lesley Rafuse
Thomas Rocco
Sal Signorelli
Norma Signorelli
Christy Stiles
Scott Waryold
Richard Gierbolini
Walter Long
Carol Rocco (ex-officio member)
Marin P. Brozniak (ex-officio member)
Director of Engineering Services
or his designee (ex-officio member)

AND FURTHER RESOLVES that each remaining Town Board member shall appoint one member to serve on the Committee.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011- ///

RESOLUTION GRANTING A PERMIT FOR AN AQUATIC EVENT TO
METROPOLITAN SWIMMING, INC. FOR THEIR OPEN WATER SWIMMING
CHAMPIONSHIPS

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone , **COUNCILWOMAN JACKSON**
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Metropolitan Swimming, Inc., 19 Mt. Rainer Avenue, Farmingville, New York 11738, has requested a permit for an aquatic event to hold their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships on Sunday, July 10, 2011; and

WHEREAS, Metropolitan Swimming, Inc. has applied to the U.S. Coast Guard (USCG) for a Marine Event Permit and assistance; the Halesite Fire Department to provide ambulance coverage; and the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau to provide assistance in patrolling the waters and to provide rescue craft; and

WHEREAS, the Town Board has previously approved similar swimming events and wishes to continue to promote and encourage the Metropolitan Open Water Swimming Championships; and

WHEREAS, the granting of a permit for an aquatic event is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Metropolitan Swimming, Inc., for their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships, on Sunday, July 10, 2011, subject to: 1) the submission of a hold harmless agreement and appropriate insurance in a form satisfactory to the Town Attorney; 2) the provision of a Marine Event Permit by the USCG; 3) the provision of ambulance coverage by the Halesite Fire Department; and 4) the provision of patrol boats by the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau for swimmer safety; and

HEREBY AUTHORIZES the Department of Parks and Recreation and the Harbor Master's Office to take such steps as are necessary to facilitate said event.

2011- /11

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 112

RESOLUTION SUBSTITUTING THE LAW FIRM OF CULLEN & DYKMAN, LLP
WITH JAMES P. CLARK, P.C.

Resolution for Town Board Meeting dated: March 8, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, James Clark, an attorney with the firm of Cullen & Dykman, LLP, located at 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, is currently representing the Town of Huntington in on-going litigation including Barthel, Joann v. TOH et al, Coneys, Matthew v. TOH, Henderson-Thomas, Eva v. TOH, Highway Litigation and other matters involving general and employment related litigation as well as labor disputes; and

WHEREAS, Mr. Clark is now in the employ of James P. Clark, P.C., of 256 Main Street, Suite 202, Northport, New York 11768; and

WHEREAS, the Town Attorney has determined that, given Mr. Clark's familiarity with the proceedings, it is in the best interest of the Town to continue with the same counsel; and

WHEREAS, the substitution of legal counsel is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) and, therefore, no further SEQRA review is required.

NOW THEREFORE, BE IT

HEREBY RESOLVED, that the Town Board substitutes the law firm of:

James P. Clark, P.C.
256 Main Street, Suite 202
Northport, New York 11768

To represent the Town of Huntington in lieu of Cullen & Dykman, LLP as previously authorized in Resolution Number 2009-315 at the same hourly rate of TWO HUNDRED AND NO/100 DOLLARS (\$200.00), and on such other terms as may be acceptable to the Town Attorney.

VOTE:	AYES: 4	NOES: 1	ABSTENTIONS: 0
Supervisor Frank P. Petrone			AYE
Councilwoman Susan A. Berland			AYE
Councilman Mark A. Cuthbertson			AYE
Councilman Glenda A. Jackson			AYE
Councilman Mark Mayoka			NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-113

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: EIGHTH STREET, FIFTH STREET, SIXTH STREET – STOP SIGNS

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 1st day of February, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections; §2-7, Stop and Yield Intersections Designated; Schedule G, as follows:

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Eighth Street (ENP)	STOP	SOUTH	Third Avenue
	Fifth Street (ENP)	STOP	SOUTH	Third Avenue
	Sixth Street (ENP)	STOP	SOUTH	Third Avenue

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-114

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: HARBOR CIRCLE, NO STANDING RESTRICTION

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 1st day of February, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 3, Parking Regulations; Article II, Parking, Standing, and Stopping Restrictions; §3-3, Designation of Areas and Restrictions; Schedule J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Harbor Circle/West From 90 ft. north of Route 25A to Route 25A. (CPT)	No Standing	-----
	Harbor Circle/East From Route 25A north for 75 ft. (CPT)	No Standing	-----

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 115

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: VIEW ACRE DRIVE, NO PARKING RESTRICTION

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 1st day of February, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 3, Parking Regulations; Article II, Parking, Standing, and Stopping Restrictions; §3-3, Designation of Areas and Restrictions; Schedule J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
DELETE:	View Acre Drive/North From 1000 ft. east of Park Ave. to Park Ave. (HUN)	No Parking	-----
	View Acre Drive/South From Park Ave. east for 1000 ft. (HUN)	No Parking	-----
ADD:	View Acre Drive/North From Maple Hill Rd. to Park Ave. (HUN)	No Parking	-----
	View Acre Drive/South From Park Ave. to Maple Hill Rd. (HUN)	No Parking	-----

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 1-2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE REQUIREMENTS), ARTICLE I (GENERAL PROVISIONS), ARTICLE III (BUILDINGS AND STRUCTURES) AND ARTICLE XII (ENFORCEMENT).

Resolution for Town Board Meeting Dated: March 8, 2011

The following Resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 1st day of February, 2011 at 7:00 p.m. to consider adopting Local Law Introductory No. 1 -2011, amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements), Article I (General Provisions), Article III (Buildings and Structures) and Article XII (Enforcement), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 1-2011 amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW NUMBER 9 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE
REQUIREMENTS), ARTICLE I (GENERAL PROVISIONS),
ARTICLE III (BUILDINGS AND STRUCTURES), AND
ARTICLE XII (ENFORCEMENT)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements); as follows:

CHAPTER 124
HOUSING STANDARDS AND PROPERTY MAINTENANCE REQUIREMENTS

ARTICLE I
GENERAL PROVISIONS

* * *

§124-03. Definitions.

* * *

MULTIPLE RESIDENCE -- A one (1) or two (2) story building or structure containing three (3) or more dwelling units let for occupancy (with or without consideration) to a person(s) who is not the owner of record, pursuant to a written or verbal lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land, or otherwise. Structures listed on the Multiple Residence Registry are presumed to be established as Multiple Residences for compliance with this Chapter and the applicable provisions of the New York State Property Maintenance Code, but are not presumed to be legally established or in conformance with the zoning regulations.

MULTIPLE RESIDENCE REGISTRY- A registry of structures maintained by the Town of Huntington containing Multiple Residences subjected to prior inspection pursuant to the New York State Multiple Residence Law § 301 and § 302.

* * *

ARTICLE III BUILDINGS AND STRUCTURES

* * *

§124-15. [(Reserved.)] Multiple Residences.

(A) Inspection required. Inspections of the following areas within Multiple Residences on the Multiple Residence Registry for compliance with the provisions of this Chapter and the New York State Property Maintenance Code shall be conducted by the Code Officer at least once every thirty-six (36) months, except as otherwise provided. At the request of the property owner, his agent or person-in-charge of the property an inspection may be conducted at shorter intervals upon payment of the requisite fee payable in advance of the inspection.

(1) Interior common areas of the building; and

(2) Vacant dwelling units. Notwithstanding any other provision of this section to the contrary, inspections shall be conducted when the unit becomes vacant and prior to re-letting or permitting the re-occupancy of the unit. The property Owner, his agent or person-in-charge of the property shall notify the Code Officer as vacancies arise to schedule an inspection.

(B) Inspection Fees. The inspection fee shall be paid in advance of an inspection and is due and payable within thirty (30) days of the date on the invoice generated by the Code Officer. The following fees shall be applicable:

(1) All interior common areas of the building: Five hundred (\$500) dollars per inspection or part thereof.

(2) Vacant dwelling units: One room studio –two hundred (\$200) dollars; one bedroom dwelling – two hundred and fifty (\$250) dollars and fifty (\$50) dollars for each additional bedroom.

(C) Occupancy Permit. Upon the successful completion of an inspection and a finding by the Code Officer that the common areas or dwelling unit inspected complies with all applicable standards and regulations, an Occupancy Permit shall be issued to the owner of record. Each Occupancy Permit shall specify if the permit applies to the common area or a dwelling unit, and if it applies to a unit, it shall state with specificity the unit number or other detail sufficient to identify the unit.

(D) Prohibitions.

(1) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to remit payment of the inspection fee within the period provided in this Chapter; or

(2) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to schedule, or permit, or otherwise interfere with an inspection; or

(3) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to notify the Code Officer of a vacancy as one arises; or

(4) It shall be unlawful for the property owner, his agent, or person-in-charge of the property to rent, lease or otherwise allow the occupancy of dwelling units within a Multiple Residence without an inspection or issuance of an Occupancy Permit.

* * *

ARTICLE XII ENFORCEMENT

* * *

§124-68. Penalties for offenses.

* * *

(B) Any person who violates §124-15(B) shall be deemed to have committed an offense against this chapter and shall, upon conviction thereof, be subject to a fine or penalty of not less than five hundred (\$500) dollars per violation; and

(C) [(B)] * * *

(D) [(C)] * * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of Secretary of State of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE

DELETIONS ARE INDICATED BY [BRACKETS]

* * * INDICATES NO CHANGE IN PRESENT TEXT

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011 - 117

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 3, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 36 (ADMINISTRATIVE HEARING OFFICER)

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone
and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, in order to protect the legal interests of the public by insuring that due process is delivered in as expeditiously a manner as is possible, the Town Board has provided for the appointment of an Administrative Hearing Officers to preside over appeals and adjudicative hearings; and

WHEREAS, the Town Attorney together with the Department of Audit and Control has undertaken an extensive review of Town contract provisions and procedures and has worked diligently to update and make uniform throughout Town government standardized contract language, which includes use of an Administrative Hearing Officer to resolve contract disputes; and

WHEREAS, as a consequence of that review process the Town Attorney has recommended that henceforth contract disputes be referred, to the greatest extent possible, to an Administrative Hearing Officer in order to facilitate the expeditious and less costly resolution of contract disputes; and

WHEREAS, Chapter 36 of the Code of the Town of Huntington, entitled "Administrative Hearing Officer" already provides for the establishment of the office of Administrative Hearing Officer within Town government; and

WHEREAS, the use of quasi-judicial Administrative Hearing Officers duly appointed by the Town Board to hear and determine various appeals and applications for licenses and permits has proved cost effective, efficient and in the public interest; and

WHEREAS, pursuant to § 617.5 (c) 20 and 27 of SEQRA, regulations amending the Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore this proposal, a Type II action, requires no further Action pursuant to SEQRA.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to consider adopting Local Law Introductory No.: 3-2011, amending Chapter 36 (Administrative Hearing Officer) of the Huntington Town Code to be held on the 22 day of

2011 - 117

MARCH _____, 2011, at 7:00p.m., at Town Hall, 100 Main Street, Huntington, New York, as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 3 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 36 (ADMINISTRATIVE HEARING OFFICER)

Section 1: Chapter 36 (Administrative Hearing Officer) of the Town of Huntington is hereby amended to read as follows:

CHAPTER 36
ADMINISTRATIVE HEARING OFFICER

§36-1. Legislative Intent.

It is the intention of the Town Board to protect the legal interests of the public by insuring that due process is delivered as expeditiously as possible by providing for an administrative hearing officer to alternatively preside over appeals and [adjudicative] administrative hearings. In order to accomplish this goal, the Town Board is exercising its authority under §10(1)(ii)(a)(11) and (12), §10(1)(ii)(d)(3), §10(3)(b) and (4)(a) and (b) of the Municipal Home Rule Law, §136(1) and §137 of the Town Law and any other applicable provision of law now or hereafter enacted, to supercede and/or expand upon the applicable provisions of §137 of the Town Law, and any other applicable or successor law, in order to permit an appointed administrative hearing officer to preside over appeals or administrative hearings [required] to be held [under this] pursuant to the Huntington Town C[c]ode.

* * *

§36-3. Authority of the Hearing Officer. The Hearing Officer is authorized to hear and determine the following matters:

A. Appeals, [from a determination of the Director of Engineering Services. If a Certificate of Occupancy or Certificate of Permitted Use has been suspended as provided in Chapter 87 of the Huntington Town Code, the Hearing Officer may make such determination, as he or she deems necessary or proper, with or without conditions, and may reverse the decision of the Director, in whole or in part, and reinstate the certificate or revoke such certificate.]

(1) If on a public works contract the Director of Engineering Services denied the final payment as set forth in the final payment invoice submitted by the contractor, the Hearing Officer may make such determination, as he or she deems necessary or proper, with or without conditions, and may sustain or reverse the decision of the Director, in whole or in part, and authorize the final payment as set

forth in the final payment invoice or such portion of the final payment invoice as the interests of justice may require.

(2) Appeals from a determination of the Comptroller denying in whole or in part the final payment as set forth in the final payment invoice submitted by the contractor. The Hearing Officer may make such determination, as he or she deems necessary or proper, with or without conditions, and may sustain or reverse the decision of the Comptroller, in whole or in part, and authorize the final payment as set forth in the final payment invoice or such portion of the final payment invoice as the interests of justice may require.

B. The Hearing Officer is authorized to hear and determine appeals of decisions to suspend, revoke or deny licenses or permits as provided in the Huntington Town Code.

C. The Hearing Officer is authorized to make recommendations and findings to the Town Board or Town Director pursuant to the applicable provisions of the Town Code.

[C.] D. Such other matters as may be directed to the Hearing Officer by the Town Board or its designee, or as otherwise set forth in the Code of the Town of Huntington.

* * *

§36-6. Hearings; procedure.

A. In those instances where the Hearing Officer is to determine the controversy or the appeal, [The] the Hearing Officer shall schedule evidentiary hearings where minutes shall be taken and maintained as official records, together with such exhibits as are submitted to and accepted by the Hearing Officer. The Hearing Officer shall issue a written decision [either] pursuant to the requirements of the relevant code provision [under consideration] and within the time set forth therein, or within [thirty (30)] twenty (20) days of the close of the hearing, whichever is less. [The] Unless otherwise stated, the decision of the Hearing Officer shall be served upon the claimant or other person or entity seeking redress before the Hearing Officer by regular or certified mail return receipt requested, and filed in the Office of the Huntington Town Clerk.

B. In those instances where the Hearing Officer acts in an advisory capacity to the Town Board or a Town Director, the Hearing Officer shall submit his/her written findings and recommendations to the Huntington Town Board or such Director pursuant to the requirements of the relevant code provisions and within the time set forth therein, or within [thirty (30)] twenty (20) days of the close of the hearing, whichever is less. [and a] Unless otherwise stated, a copy shall be served by regular or certified mail, return receipt requested, to the claimant or other subject of the hearing. The Town Board or Director may adopt or dismiss, in whole or in part, with or without conditions, the [determination] recommendations of the Hearing Officer.

* * *

2011 - 117

§36-9. Appeals.

Any person or business entity that is aggrieved by the determination of the Hearing Officer, Town Director or Town Board may appeal to a court pursuant to Article 78 of the New York Civil Practice Law and Rules, or other applicable provision of law.

Section 2: Severability

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this Local Law and shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3: Effective Date

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

* * * INDICATES NO CHANGE

ADDITIONS ARE INDICATED BY UNDERLINED

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION DEFEATED

2011- 119

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 4 - 2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), §198-42 (DESIGNATION OF SITES AND BUILDINGS), TO DESIGNATE AS AN HISTORIC LANDMARK THE BUILDING AND PROPERTY KNOWN AS THE OLD HUNTINGTON HOTEL, 410 NEW YORK AVENUE, HUNTINGTON.

Resolution for Town Board Meeting dated: March 8, 2011

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Historic Preservation Commission has petitioned the Town Board for the historic designation of the building and property known as the Old Huntington Hotel, 410 New York Avenue, Huntington, and the Commission and the Department of Planning and Environment have prepared reports in accordance with the Code of the Town of Huntington §198-40.3; and

WHEREAS, designating historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 12TH day of APRIL, 2011 at 7:00 p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 4 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the Old Huntington Hotel, 410 New York Avenue, Huntington, described as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 4 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

2011-119

CHAPTER 198 (ZONING)
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

* * *

§198-42. Designation of Sites and Buildings

* * *

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

* * *

() Old Huntington Hotel, 410 New York Ave., Huntington, SCTM# 0400-096-01-046.001.

* * *

Section 2. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT
ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 2 NOES: 3 ABSTENTIONS: 0

Supervisor Frank P. Petrone	NO
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	NO
Councilwoman Glenda A. Jackson	NO
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY **DEFEATED.**

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 5-2011, CONSIDERING ZONE CHANGE APPLICATION NO. 2011-ZM-385 OF THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY, TO CHANGE THE ZONING FROM I-5 GENERAL INDUSTRY DISTRICT TO R-5 RESIDENCE DISTRICT FOR THE PROPERTIES LOCATED ON THE WEST SIDE OF LOWNDES AVENUE, BETWEEN RAILROAD STREET AND COLUMBIA STREET, HUNTINGTON STATION, AND RELIEVING THE COMMUNITY DEVELOPMENT AGENCY FROM CERTAIN REQUIREMENTS OF THE TOWN OF HUNTINGTON ZONING CODE.

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: Supervisor Petrone ,
COUNCILWOMAN JACKSON
 and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Huntington Community Development Agency, with principal offices at t 100 Main Street, Huntington, New York 11743, as property owner, has submitted application #2011-ZM-385 for a change of zone from I-5 General Industry District to R-5 Residence District for certain properties located on the west side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, designated as 0400-140-03-(072, 073, 108 & 109.003) on the Suffolk County Tax Map, and an additional parcel with no tax map number that was formerly part of the intersection of Lowndes Avenue and Railroad Street, identified in Schedule B of Town Board resolution 2010-611; and

WHEREAS, the zone change application proposes that the property would be used for the development of and eventual sale of an affordable housing comprising of eight owner-occupied single-family homes each with an accessory apartment known as the "Columbia Street Project"; and

WHEREAS, in order to develop these properties as proposed, the Community Development Agency, as a municipal renewal agency, is requesting that the Town Board rezone the properties and grant an exemption from §198-19(D) (lot area, frontage, width, and setbacks), §198-134(A)(2) (lot area for accessory apartment), and §198-146(A)(1) (lot frontage for accessory apartment) of the Town Code, and to exempt the project from the parking requirements in §198-134(A)(7), pursuant to its authority under General Municipal Law §503-a (4) and (5); and

WHEREAS, Schedule "A" annexed hereto and made a part hereof sets forth the respective exemptions deemed necessary in further detail; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington to rezone certain properties and consider exempting the CDA from certain zoning regulations is not an action, so no SEQRA review is required at this time;

2011-120

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 12TH day of APRIL, 2011 at 7:00 p.m. to consider exempting the Huntington Community Development Agency from the parking requirements and certain other zoning regulations of the Town Code as more fully identified in Schedule "A", annexed hereto and made a part of this resolution, and to consider adopting Local Law Introductory No. _____ - 2011 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from I-5 General Industry District to R-5 Residence District certain properties designated on the Suffolk County Tax Map by Nos. 0400-140-03-(072, 073, 108 & 109.003), and an additional parcel with no tax map number that was formerly part of the intersection of Lowndes Avenue and Railroad Street, identified in Schedule B of Town Board resolution 2010-611, as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 5 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

* * *

The premises located on the west side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, containing 0.97 acres, and designated as 0400-140-03-(072, 073, 108 & 109.003) on the Suffolk County Tax Map, and an additional parcel with

2011-120

no tax map number that was formerly part of the intersection of Lowndes Avenue and Railroad Street, identified in Schedule B of Town Board resolution 2010-611, more particularly described as:

BEGINNING at a POINT at the intersection of the south side of Columbia Street with the west side of Lowndes Avenue,

THENCE from said POINT OF BEGINNING South 10 degrees 31 minutes 28 seconds East, 63.33 feet,

THENCE southerly along the arc of a curve bearing left, having a radius of 66 feet and a length of 44.19 feet,

THENCE South 48 degrees 53 minutes 13 seconds East, 51.32 feet,

THENCE southerly along the arc of a curve bearing right, having a radius of 20 feet and a length of 30.83 feet,

THENCE southerly along the arc of a curve bearing right, having a radius of 200 feet and a length of 51.56 feet,

THENCE South 54 degrees 12 minutes 0 seconds West, 150.00 feet,

THENCE North 10 degrees 31 minutes 28 seconds West, 114.05 feet,

THENCE South 79 degrees 28 minutes 32 seconds West, 50.00 feet,

THENCE North 10 degrees 31 minutes 28 seconds West, 150.00 feet,

THENCE North 79 degrees 28 minutes 32 seconds East, 185.64 feet to the POINT OF BEGINNING.

*

*

*

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

2011-120

* * * INDICATES NO CHANGE TO PRESENT TEXT.
ADDITIONS ARE INDICATED BY UNDERLINE.
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-120

SCHEDULE A

Lot Number	Lot Area	Lot Frontage	Lot Width	Combined Side Yard Setbacks	Section of Zoning Code		Lot Area for Accessory Apt.	Lot Frontage for Accessory Apt.
					198-19(D)	198-19(D)		
1			46.41				5000	46.41
2			46.41				5000	46.41
3			46.41				5000	46.41
4	4780		46.41			13	4780	46.41
5				11			7440	
6		38.4	38.4	10			5000	38.4
7	4737		43				4737	43.61
8						18	5418	
Code Minimum	5000	40	50	13		20	7500	50

*All numbers are in linear feet, except for area measurements, which are in square feet

2011- 121

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING
THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2,
ARTICLE IV, §2-7, SCHEDULE G
RE: MAPLE HILL ROAD – STOP SIGNS

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, an amendment to the Uniform Traffic Code of the Town of Huntington regarding stop signs is a TYPE II action pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(16) (c)20 and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 22 day of **MARCH**, 2011, at **7:00p.m.** at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Maple Hill Road (HLS)	STOP	EAST	Fort Hill Road
	Maple Hill Road (HLS)	STOP	WEST	Fort Hill Road

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 - 122

RESOLUTION AUTHORIZING THE RETENTION OF OUTSIDE COUNSEL (HARRIS BEACH, P.L.L.C.)

Resolution for Town Board Meeting Dated: March 8, 2011

The following resolution was offered by: **SUPERVISOR PETRONE,
COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN JACKSON**

WHEREAS, the Town Attorney has deemed it necessary to take legal action in connection with the construction and/or renovation of the Dix Hills Ice Rink in order to best protect the Town's interest; and

WHEREAS, due to the complexity of issues presented it has become necessary to seek the expertise of a law firm specializing in construction matters; and

WHEREAS, the retainer of legal counsel is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Town Attorney to retain the legal services of Harris Beach P.L.L.C., 333 Earle Ovington Blvd, Suite 901, Uniondale, New York 11553 to represent the interests of the Town of Huntington in the construction and/or renovation of the Dix Hills Ice Rink, and all other matters related thereto, at an hourly rate of TWO HUNDRED (\$200.00) DOLLARS, to be charged to Operating Budget A-1420-4551 (Outside Legal), and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-BT 7

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137

APPLICANT: DONNA MYERS OF SHORE SOLUTIONS ON BEHALF OF
TIMOTHY J. COX & KATHY M. STAIB

LOCATION: 33 PROSPECT RD., CENTERPORT, N.Y. 11721
S.C.T.M. # 400-045.00-01.00-028.000

Resolution for Board of Trustees Meeting Dated: March 8, 2011

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Donna Myers of Shore Solutions

On behalf of

Timothy J. Cox & Kathy M. Staib

33 Prospect Rd.

Centerport, N.Y. 11721

to remove 56.25 LF of existing concrete and timber seawall along western property line and replace with vinyl inter-locking sheet style seawall and along the southern portion of the property stabilize 36 LF of existing concrete seawall with tie rods secured to upland dead-men at 33 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-028.000; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time for the scheduling said public hearing.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **22ND** day of **MARCH**, 2011, at **7:00** pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit to Timothy J. Cox & Kathy M. Staib to remove 56.25 LF of existing concrete and timber seawall along western property line and replace with vinyl inter-locking sheet style seawall and along the southern portion of the property stabilize 36 LF of existing concrete seawall w/ tie rods secured to upland dead-men at 33 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-028.000.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone

AYE

Trustee Susan A. Berland

AYE

Trustee Mark A. Cuthbertson

AYE

Trustee Glenda A. Jackson

AYE

Trustee Mark Mayoka

AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137,

APPLICANT: DONNA MYERS OF SHORE SOLUTIONS ON BEHALF OF TIMOTHY J. COX & KATHY M. STAIB

LOCATION: 33 PROSPECT RD., CENTERPORT, N.Y. 11721

S.C.T.M. # 400-045.00-01.00-028.000

Resolution for Board of Trustees Meeting Dated: March 8, 2011

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **PRESIDENT PETRONE, TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Donna Myers of Shore Solutions

On behalf of

Timothy J. Cox & Kathy M. Staib

33 Prospect Rd.

Centerport, N.Y. 11721

to remove 56.25 LF of existing concrete and timber seawall along western property line and replace with vinyl inter-locking sheet style seawall and along the southern portion of the property stabilize 36 LF of existing concrete seawall with tie rods secured to upland dead-men at 33 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-028.000; and

WHEREAS, a license agreement for the removal of 56.25 LF of existing concrete and timber seawall & replaced with vinyl inter-locking sheet style seawall and the stabilization of 36 LF of existing concrete seawall w/ tie rods secured to upland dead-men partially located on underwater Board of Trustee land is necessary; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 22ND day of MARCH, 2011, at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137 for the use of underwater lands as is necessary for the removal of 56.25 LF of existing concrete and timber seawall along western property line and replace with vinyl inter-locking sheet style seawall and along the southern portion of the property stabilize 36 LF of existing concrete seawall with tie rods secured to upland

2011-BT 8

dead-men at 33 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-028.000, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137

APPLICANT: CRAMER CONSULTING GROUP ON BEHALF OF CELESTE MORIN

LOCATION: 45 PROSPECT RD., CENTERPORT, N.Y. 11721

S.C.T.M. # 400-045.00-01.00-022.000

Resolution for Board of Trustees Meeting Dated: March 8, 2011

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Cramer Consulting Group

On behalf of

Celeste Morin

45 Prospect Rd.

Centerport, N.Y. 11721

to repair and stabilize existing seawall; install tie rods/earth anchors, under-pin existing shallow footing, patch and fill all cracks/ breaches in existing concrete seawall at 45 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-022.000; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time for the scheduling said public hearing.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **12TH** day of **APRIL**, 2011, at **7:00** pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit to Celeste Morin to repair and stabilize existing seawall; install tie rods/earth anchors, under-pin existing shallow footing, patch and fill all cracks/ breaches in existing concrete seawall at 45 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-022.000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone

AYE

Trustee Susan A. Berland

AYE

Trustee Mark A. Cuthbertson

AYE

Trustee Glenda A. Jackson

AYE

Trustee Mark Mayoka

AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE
EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE
CONSERVATION LAW, TOWN CODE CHAPTER 137,
APPLICANT: CRAMER CONSULTING GROUP ON BEHALF OF CELESTE MORIN
LOCATION: 45 PROSPECT RD., CENTERPORT, N.Y. 11721
S.C.T.M. # 400-045.00-01.00-022.000

Resolution for Board of Trustees Meeting Dated: March 8, 2011

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of
Huntington, an application for a special use permit has been submitted by

Cramer Consulting Group

On behalf of

Celeste Morin

45 Prospect Rd.

Centerport, N.Y. 11721

to repair and stabilize existing seawall; install tie rods/earth anchors, under-pin existing
shallow footing, patch and fill all cracks/ breaches in existing concrete seawall at 45
Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-022.000; and

WHEREAS, a license agreement for the repair and stabilize existing seawall; install tie
rods/earth anchors, under-pin existing shallow footing; patch and fill all cracks/ breaches
in existing concrete seawall that is partially located on underwater, Board of Trustee land
is necessary; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR
§617.2(b) and therefore no further SEQRA review is required at this time.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 12TH day of APRIL
,2011, at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743,
to consider the execution of a license agreement pursuant to the Marine Conservation
Law, Town Code Chapter 137 for the use of underwater lands as is necessary for the
repair and stabilization of the existing seawall; install tie rods/earth anchors, under-pin
existing shallow footing, patch and fill all cracks/ breaches in existing concrete seawall at
45 Prospect Rd., Centerport, N.Y. 11721, S.C.T.M. # 400-045.00-01.00-022.000, on such
terms and conditions as may be acceptable to the Town Attorney.

2011-BT /0

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-BT //

RESOLUTION RE-SCHEDULING A PUBLIC HEARING TO CONSIDER A VARIANCE
AND THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CHAPTER 137 (MARINE
CONSERVATION)

APPLICANT: DAN P. DEBONO

LOCATION: 140 OLD WINKLE POINT RD., EATON'S NECK, N.Y. 11768

S.C.T.M. #: 0400-005.00-03.00-001.001

Resolution for Board of Trustees Meeting Dated: March 8, 2010

The following resolution was offered by: **TRUSTEE JACKSON**

and seconded by: **PRESIDENT PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington,
an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Dan P. DeBono
140 Old Winkle Point Rd.
Eaton's Neck, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred
(100) ft. maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179
ft from MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd.
Eaton's Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR
§617.2(b) and therefore no further SEQRA review is required at this time for the scheduling said
public hearing.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY RE-SCHEDULES a public hearing for the **22ND** day of **MARCH**, 2011, at **7:00**
pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to
§ 137-26.A [1] and the issuance of a special use permit to Dan P. DeBono to construct a
residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft.
maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179 ft from
MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd. Eaton's
Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-BT12

RESOLUTION RE-SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT AS IS NECESSARY FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY UNDER CHAPTER 137, MARINE

APPLICANT: DAN P. DEBONO

LOCATION: 140 OLD WINKLE POINT RD., EATON'S NECK, N.Y. 11768

S.C.T.M. #: 0400-005.00-03.00-001.001

Resolution for Board of Trustees Meeting Dated: March 8, 2011

The following resolution was offered by: **TRUSTEE JACKSON**

and seconded by: **PRESIDENT PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Dan P. DeBono
140 Old Winkle Point Rd.
Eaton's Neck, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179 ft from MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000; and

WHEREAS, a license agreement for the construction of a one hundred and seventy-nine ft long residential fixed pier and floating dock assembly for use on underwater Board of Trustee land is necessary; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY RESCHEDULES a public hearing for the 22ND day of MARCH, 2011, at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement as is necessary for the use of underwater lands as is necessary for the construction of a one hundred and seventy-nine ft long residential fixed pier and floating dock assembly to permit the docking of watercraft at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, on such terms and conditions as may be acceptable to the Town Attorney.

2011-BT12

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Glenda A. Jackson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.